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TITLE 3—THE PRESIDENT

PROCLAMATION 2950

TERMINATION OF THE STATE OF WAR WITH GERMANY

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS, by a joint resolution, approved by the President on December 11, 1941, the Congress of the United States formally declared a state of war to exist between the United States and the Government of Germany (55 Stat. 796); and

WHEREAS on December 31, 1946, the President proclaimed the cessation of hostilities of World War II; and

WHEREAS it has been and continues to be the policy of the United States to bring about the conclusion of a treaty of peace with the government of a united and free Germany, but efforts to this end have been frustrated and made impossible for the time being by the policy of the Soviet Government; and

WHEREAS it has nevertheless been considered desirable to bring the existing state of war with Germany to a close and to remove Germany from its present enemy status, thus eliminating certain disabilities affecting German nationals; and

WHEREAS the rights, privileges, and status of the United States and the other occupation powers in Germany, and the rights and privileges of the United States and its nationals to which it or they have become entitled as a result of the war, as well as the right to exercise or enforce the same, derive from the conquest of Germany and the assumption of supreme authority by the Allies and are not affected by the termination of the state of war; and

WHEREAS the Congress of the United States by a joint resolution, approved October 19, 1951 (Public Law 181, 82d Congress), has resolved that the state of war declared to exist between the United States and the Government of Germany is terminated and that such termination shall take effect on the date of enactment of such resolution:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, pursuant to such joint resolution, do proclaim that the state of war between the United States and the Government of Germany declared by the joint resolution of Congress approved December 11, 1941 was terminated on October 19, 1951.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 24th day of October, in the year of our Lord nineteen hundred and [SEAL] fifty-one, and of the Independence of the United States of America the one hundred and seventy-sixth.

HARRY S. TRUMAN

By the President:

DEAN ACHESON,
Secretary of State.

[F. R. Doc. 51-13047; Filed, Oct. 25, 1951; 4:43 p. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration, Department of Agriculture

Subchapter E—Production Credit System

PART 50—RULES AND REGULATIONS FOR PRODUCTION CREDIT ASSOCIATIONS

REVISION

Sec.

(Continued on p. 10917)

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THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

CODIFICATION GUIDE—Con.

AUTHORITY: §§ 50.1 to 50.23 issued under secs. 20, 23, 60, 48 Stat. 259, 266, 269; 12 U. S. C. 1131d, 1131g, 1138. Statutory provisions interpreted or applied are cited to text in parentheses.

NOTE: Throughout Part 50 of this chapter the term "association" refers to a Production Credit Association; the term "the corporation" refers to a Production Credit Corporation; the term "Governor" refers to the Governor of the Farm Credit Administration; and the corresponding section numbers in rules and regulations for Production Credit Associations are indicated in brackets following each section.

§ 50.1 *Loan purposes.* The association is authorized to provide short-term

and intermediate-term credit for any general agricultural purpose to qualified farmers and stockmen. Loans may include funds for the purchase of association class A or class B stock.

(a) When a doubt exists as to the authority of an association to make a particular type of loan, all pertinent facts in connection therewith should be forwarded to the president of the corporation for a decision. [Rule 1]

§ 50.2 *Eligibility*—(a) *In general.* To be eligible for a loan, an applicant must be a farmer within the meaning of that word as used in the Farm Credit Act of 1933 and amendments thereto and acts amendatory thereof. The term "farmer" as so used includes an individual or a partnership owning agricultural land or engaged in the business of farming or of breeding, raising, or fattening livestock; and also includes corporations as herein defined.

(b) *Corporations.* To be considered a "farmer", a corporation must be principally engaged in farming or in the breeding, raising, or fattening of livestock. For a corporation to be considered as so principally engaged, the major portion of its assets must be represented by property actually devoted to farming and/or the raising, breeding, or fattening of livestock; at least half of its gross income must be derived from such operations; and at least half of the time of its active officers and personnel must be spent in the conduct of such business.

When a loan is made to a corporation, either the holder or holders of at least a majority of its outstanding shares of voting stock or, with the consent of the president of the production credit corporation, the principal stockholder or holders must (1) endorse, or sign as comakers, all notes evidencing such loan; or (2) execute continuing guarantees of all indebtedness of such corporation to the association. When it is expected that future advances will be made to a corporate borrower, the association will require a continuing guaranty as above mentioned.

(c) *Fiduciaries and representatives.* Loans may be made to a fiduciary or representative (including a trustee, guardian, executor, administrator, or receiver) who, in such capacity, is engaged in farming or in the raising, breeding, or fattening of livestock: *Provided*, That (1) adequate security can and will be given; (2) some financially responsible individual (which may be the fiduciary or representative) will incur personal liability for the loan, or the general assets of the estate can and will be charged with liability for the loan; and (3) the provisions of applicable State statutes have been complied with. Loans shall not be made to the receiver of a corporation or to the trustee of a business trust (commonly called Massachusetts trust) unless the corporation or trust satisfies the requirement for eligibility of a corporation as prescribed in paragraph (b) of this section.

(d) *Loans to directors, officers, employees, and agents of the Farm Credit Administration, the corporation and the association.* (1) A loan to a director of the corporation or to an officer (as distinguished from an employee) of the Farm Credit Administration of Washington, D. C., shall be subject to prior approval by the board of directors of the corporation and by the Production Credit Commissioner.

(2) A loan to an officer, employee, or agent of the corporation shall be subject to prior approval by the board of directors of the corporation.

(3) A loan to a director or officer of an association shall be subject to prior approval by the president of the corporation or, in his absence or unavailability, by the officer authorized to perform the duties of the president.

(4) A loan to a partnership, firm, or corporation in which any of the aforesaid directors, officers, employees, or agents is a member or stockholder shall be subject to the same prior approval as a loan to such person individually.

(5) A loan to a third party where more than $500.00 of the proceeds (i) will be paid to or for the account of any of the aforesaid directors, officers, employees, or agents; or (ii) will be used in connection with real or personal property in which any such person has a legal or equitable interest; or (iii) if any such person is a creditor of or endorser for the borrower to the extent of more than $500.00, shall be subject to the same prior approval as a loan to such person; provided that the corporation may prescribe an amount different than $500.00.

(6) No member of the executive committee of an association shall participate in the deliberations upon an application for a loan in which he or a member of his immediate family has a legal or equitable interest. The term "immediate family" shall include a father, mother, brother, sister, son, daughter, husband, or wife. [Rule 2]

§ 50.3 *Application.* Each applicant desiring a loan must submit an application therefor in a form prescribed by the corporation, an acceptable plan for repaying the loan, and such other information as may be required by the association or the corporation. [Rule 3]

§ 50.4 *Approval of loan.* Unless otherwise provided in the bylaws of the association, or unless otherwise authorized by the board of directors of the association and the president of the corporation, no loan shall be made unless the executive committee has given prior approval thereof. Where executive committee action is required, no loan shall be made unless application therefor has received the unanimous approval of the qualified members of the executive committee present at the meeting at which such action is taken. [Rule 4]

§ 50.5 *Interest rates.* The interest rate charged the borrowers shall be the rate prescribed by the corporation, which shall be not less than 3 percent per annum nor more than 4 percent per annum above the discount rate of the Federal intermediate credit bank at the time the loan or advance is made, unless a lower or a higher rate is prescribed by the corporation with the approval of the Production Credit Commissioner. Interest shall be charged on loans for the actual number of days that loans are outstanding. The number of days for which interest shall be charged shall be computed on the basis of 365 days for normal years and 366 days for leap years. [Rule 5]

§ 50.6 *Secured and unsecured loans.* (a) Either secured or unsecured loans may be made in accordance with these rules and regulations and the Farm Credit Act of 1933 and amendments thereto.

(b) It is not intended that loans shall be secured primarily by mortgages or other liens on real estate. [Rule 6]

§ 50.7 *Maturity.* Loans may be made with a maturity usually not to exceed one year. [Rule 7]

§ 50.8 *Inspections.* (a) Inspections or field reports shall be made in accordance with policies approved by the production credit corporation. Inspections shall be made by individuals approved by the corporation for this purpose.

(b) An association officer, employee, or agent shall not be authorized to make an inspection incident to a loan applied for or obtained by a member of his immediate family or in connection with property in which he has a present legal or equitable interest. (See § 50.2 (d) (6) for definition of "immediate family".) [Rule 8]

§ 50.9 *Disbursement of loan proceeds.* Each association is authorized to disburse loan proceeds in accordance with such terms and conditions as the corporation may prescribe. [Rule 9]

§ 50.10 *Time limit on closing loans.* The association may, in its discretion, refuse to make a loan to an applicant who does not furnish all documents necessary to close the loan within 30 days after notice has been sent him by the association that his application has been approved. [Rule 10]

§ 50.11 *Marketing, purchasing, and membership requirements.* Borrowers shall not be required by the association to enter into any contract or agreement with any particular association, individual, or corporation with respect to the purchase of supplies or the sale of agricultural products, livestock or livestock products; nor shall the association require borrowers to become members of any other organization or association; provided that any of such requirements may be imposed as special credit conditions on individual loans. [Rule 11]

§ 50.12 *Investments.* The funds of an association available for investment, including all sums in an association's guaranty fund, may be invested only in bonds or other obligations issued or fully guaranteed by the United States Government, except that investments of other types may be made with the prior approval of the corporation and the Farm Credit Administration. [Rule 12]

§ 50.13 *Purchase of office quarters.* The purchase or construction of a building or the purchase of a site therefor by an association for its office quarters shall be subject to the prior approval of the corporation so long as it is the holder of any stock in the association. An asso-

ciation in which the corporation holds no stock shall obtain the prior approval of the corporation when the total cost of all such property (sites, buildings, and contemplated improvements) is in excess of 10 percent of the association's net worth. [Rule 13]

§ 50.14. *Charges to borrowers.* Subject to the approval of the president of the corporation the association may prescribe charges and other fees to be charged applicants in connection with loans. [Rule 14]

§ 50.15 *Forms, accounts, and reports.* (a) Credit forms and principal accounting forms used by an association will be prescribed or approved by the corporation.

(b) Classification of accounts will be prescribed by the corporation subject to the prior approval of the Farm Credit Administration.

(c) At such times and on such forms as the corporation shall require, the association shall submit to the corporation statements of condition and reports relative to the association's operations. [Rule 15]

§ 50.16 *Confidential information.* The directors, officers, employees, and agents of an association shall not disclose information regarding the association's borrowers or applicants for loans or other information of confidential character, except as permitted by instructions issued by the corporation in conformity with the pertinent regulations promulgated in the General Administrative Manual issued by the Farm Credit Administration. [Rule 16]

§ 50.17 *Territory.* (a) The association shall operate and conduct its business within such territory as may be prescribed by the Governor and evidenced in a certificate of district to be served.

(b) An application for a loan to finance operations wholly within the territory of the association may be accepted regardless of the residence of the applicant.

(c) An application for a loan to finance operations wholly without the territory of the association shall not be accepted even though the applicant resides within the territory served by the association.

(d) An application for a loan to finance operations on land partly within and partly without the association's territory may be accepted if such land may be regarded, in the opinion of the president of the corporation, as one farming or livestock unit. [Rule 17]

§ 50.18 *Depositaries.* The depositaries for the funds of the association must be approved for the purpose by the corporation so long as it is the holder of any stock of the association, such depositaries wherever possible to be members of the Federal Reserve System or insured by the Federal Deposit Insurance Corporation. [Rule 18]

§ 50.19 *Examinations.* At least once each year and at such other time as the Governor deems necessary, the association shall be examined by examiners designated by the Governor. The Governor shall assess the cost of such examinations against the association, which shall pay such costs to the Governor in such manner as the Governor shall prescribe. The amounts so assessed and unpaid shall be a prior lien on all assets of the association, except on assets pledged to secure loans. [Rule 19]

§ 50.20 *Consolidation of associations*—(a) *Consolidation agreement.* By resolution, the board of directors of each association constituent to a consolidation shall authorize the execution of, and shall approve, an agreement (in the form prescribed by the corporation with the approval of the Production Credit Commissioner) designating the charter of one of the constituent associations as the charter of the consolidated association, providing an effective date for the consolidation, and setting forth the terms and conditions of the consolidation, and the mode of carrying the same into effect.

Such consolidation agreement shall also provide that the shares of class A stock of the respective constituent associations shall be converted at the par value thereof into like shares of the consolidated associations; that the shares of class B stock of the respective constituent associations which have a fair book value equal to or greater than the par value thereof shall be converted at the par value thereof into like shares of the consolidated association; that the shares of class B stock of the respective constituent associations which have a fair book value of less than par shall be converted into $5.00 par value shares of class B stock of the consolidated association having an aggregate value equal in each instance to the aggregate fair book value of such shares of such constituent associations.

(b) *Approval of consolidation agreement.* In order to become effective, the consolidation agreement must be approved:

(1) By a two-thirds vote of the Class B stockholders of each association constituent to the consolidation who are present at a meeting duly called for the purpose (provided the stockholders so present constitute a quorum;

(2) By the president of the corporation; and

(3) By the Production Credit Commissioner.

(c) *Effectiveness of agreement.* When so approved, the consolidation agreement shall be filed with the corporation and shall become effective as of its effective date. As of such date, the separate existence of the constituent associations shall cease, and the consolidated association shall succeed, without other transfer, to all rights and property of the constituent associations and shall be obligated to discharge all the debts, liabilities, and duties thereof in the same manner and to the same extent as if such consolidated association had originally incurred them.

(d) *Supervisory duties of corporation.* It shall be the duty of the corporation to supervise the consolidation for the purpose of insuring that the terms and conditions of the consolidation agreement are properly carried into effect and that the shares of stock of the constituent associations are retired and canceled and the proper number of shares of stock of the consolidated association issued in lieu thereof. [Rule 20]

§ 50.21 *Voluntary liquidation of associations.* (a) Subject to the approval of the president of the corporation and of the Production Credit Commissioner, an association may be placed in voluntary liquidation by resolution of its board of directors. The resolution shall authorize and direct the president of the corporation to appoint and fix the compensation of a liquidating agent for the association and to remove such liquidating agent at will and appoint a successor; and shall vest in the liquidating agent full and complete authority (without any reservation of power in the board) to liquidate the association subject to the direction and supervision of the president of the corporation.

(b) Subject to such direction and supervision, the liquidating agent shall convert all the association's assets into cash (except securities held by the corporation for the association's account), pay all its obligations, and distribute its remaining assets to the holders of class A and class B stock in accordance with their liquidation preference rights.

(c) The loan assets of the association may be converted into cash by either of the following methods:

(1) By their collection.

(2) By the sale of the loan assets of the association to another association or associations upon such terms and conditions as may be approved by the president of the corporation and by the Production Credit Commissioner, provided that immediately upon completion of such sale the liquidating association will be able to pay liquidating dividends of not less than $5.00 per share on all its outstanding stock. Each borrower whose loan is sold to another association shall be required to own class B stock in the purchasing association in the amount of $5.00 for each $100 or fraction thereof of the unpaid balance of such loan; and the liquidating association shall make payment to the purchasing association for such stock out of the borrower's liquidating dividends. [Rule 21]

§ 50.22 *Guaranteed loans to veterans.* Upon authorization by its board of directors, an association may make loans to veterans which are guaranteed in part by the Administrator of Veterans' Affairs under Title III of the Servicemen's Readjustment Act of 1944, for any agricultural purpose eligible for such guaranty. Notwithstanding the regulations governing other loans made by the association, such guaranteed loans to veterans shall bear interest at the rate of 4 percent per annum, shall have a maturity in keeping with the repayment ability of the business financed but for not more than 5 years, and shall be made in accordance with the other requirements of said act and the regulations promulgated thereunder by the Administrator of Veterans' Affairs. [Rule 22]

§ 50.23 *Loans guaranteed by Commodity Credit Corporation.* (Available

for use only after the board of directors of the production credit corporation has approved this section for application to production credit associations within that particular Farm Credit District.)

Upon authorization by its board of directors, an association may make loans to its members to finance the purchase or construction of storage facilities under agreements whereby the Commodity Credit Corporation will guarantee payment of such loans. Notwithstanding the regulations governing other loans made by the association, loans so guaranteed may be made at such rates of interest, with such maturities, and upon such terms and conditions as the Commodity Credit Corporation may prescribe. [Rule 23]

[SEAL] I. W. DUGGAN,
Governor,
Farm Credit Administration.

OCTOBER 19, 1951.

[F. R. Doc. 51-12892; Filed, Oct. 26, 1951; 8:49 a. m.]

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter B—Farm Ownership Loans

PART 331—PROCESSING DIRECT LOANS

SUBPART A—COUNTY OFFICE ROUTINE

DEFERRING INITIAL INSTALLMENTS

Subpart A of Part 331, Title 6, Code of Federal Regulations (13 F. R. 9410, 15 F. R. 5869), is amended to add a new section designated as § 331.3a, between §§ 331.3 and 331.4, to provide that under certain conditions the initial installment on a direct Farm Ownership loan may be deferred for a period not to exceed two full crop years from the date of the loan. Section 331.3a is added to read as follows:

§ 331.3a *Deferred payments* — (a) *General.* (1) Under conditions outlined in this section, the initial payment on a direct Farm Ownership loan, either initial or subsequent, may be deferred until the end of the second full crop year from the date of the loan. Such deferment, however, will not result in extending the maximum term of a Farm Ownership loan beyond 40 years except that in the case of a subsequent loan the provisions of § 333.3 (b) (3) will apply.

(2) It is expected that such deferment of payments will be employed only in such instances as will conform clearly with the principles outlined in this section. The State Field Representative will be responsible for determining that these conditions exist before he approves any Farm Ownership loan in which a deferred payment is proposed.

(3) The term "other essential expenses" as used in this section refers to payments on chattel debts and capital goods expenditures, the sum of which would be roughly equivalent to annual depreciation on the borrower's chattels, as provided in § 337.3 (b) (1) (i) of this chapter. In connection with developing a loan in which deferment is to be recommended, it will not be planned that income will be used to accelerate the payment of old debts, purchase unusually large amounts of capital goods, or perform major items of farm development while deferring a payment on the Farm Ownership loan.

(b) *Conditions under which the initial payment may be deferred.* Payments may be deferred only when the Farm and Home Plan covering the first full crop year clearly demonstrates that for the period for which deferment is proposed there will be insufficient income to meet a regular annual installment on the loan after farm operating, family living, and other essential expenses are paid. Further, in the judgment of the loan approval official, there must be adequate evidence that income in subsequent years will be sufficient to meet the requirements of the loan. Deferment will be justified only when:

(1) There is a conversion of the farming system from an unsound, ill-balanced farm organization to a sound, well-balanced farm organization, adequate returns from which will be delayed for one or two full crop years; or

(2) There is being established a system of farming requiring substantial investments in land clearing, draining, leveling, irrigating, basic fertilizing, and seeding, or other land development or soil improvement operations, adequate returns from which will be delayed for one or two full crop years.

(3) The conversion of the farming system or the performance of major land development provided above are clearly outlined in Form FHA-14A, "Long-Time Farm and Home Plan," and Form FHA-643, "Farm Development Plan."

(c) *Preparation of Form FHA-190, "Promissory Note."* In connection with the preparation of Form FHA-190, the place for payment and the amount of the loan will be inserted on lines 4 and 5, and the borrower's name and post-office address at the time he will be living on the farm securing the loan will be typed in the space provided on the reverse of the Form FHA-190. Thereafter, the applicant and his wife will sign the original of Form FHA-190. At the time of signing, the County Supervisor will explain to the applicant and his wife that the amount and the due date of the first installment and the number and amount of the next succeeding installments will be determined at the time of loan closing.

(d) *Closing of the loan.* (1) In connection with the loan closing, the year in which the first installment on the loan will become due, the amount of the first installment, and the number and the amount of the next succeeding installments will be determined and inserted on Form FHA-497, "Notification of First Payment Date."

(i) When the period from the date of the loan check to the first March 31 thereafter is such as to permit a farm operator to benefit substantially from a full crop year's operation, the deferment period will end on the first March 31 and the due date of the first installment will be the second March 31 following the date of the borrower's loan check.

(ii) When the period from the date of the loan check to the first March 31 thereafter is such as not to permit a farm operator to benefit substantially from a full crop year's operation, the deferment period will end on the second March 31, and the due date of the first installment will be the third March 31 following the date of the borrower's loan check.

(iii) The amount of the first installment will be agreed upon mutually by the County Supervisor and the borrower, taking into consideration the borrower's financial circumstances and the extent to which he will receive income from the farm during the calendar year preceding the date of the first installment. This payment will be equal to or less than a regular annual installment, as warranted by his anticipated income, but must always be more than merely a nominal payment.

(iv) For initial loans, when the due date of the first installment is deferred until the second March 31 following the date of the borrower's loan check, the amount to be inserted on Form FHA-190 for the next succeeding installments will be 5.106 percent of the loan.

(v) For initial loans, when the due date for the first installment is deferred until the third March 31 following the date of the borrower's loan check, the amount to be inserted on Form FHA-190 for the next succeeding installments will be 5.163 percent of the loan.

(vi) For subsequent loans, the amount to be inserted on Form FHA-190 for the installments succeeding the first installment will be computed by multiplying the amount of the subsequent loan by the factor for the number of years the loan is to run less the number of March 31's for which no payment will be made.

(Sec. 41 (1), 60 Stat. 1066, 7 U. S. C. 1015 (1). Interprets or applies sec. 4, Pub. Law 123, 82d Cong.)

DERIVATION: § 331.3 as contained in FHA Instruction 443.1.

[SEAL] DILLARD B. LASSETER,
Administrator,
Farmers Home Administration.

OCTOBER 3, 1951.

Approved: October 23, 1951.

CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-12893; Filed, Oct. 26, 1951; 8:49 a. m.]

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter C—Loans, Purchases, and Other Operations

[1951 C. C. C. Grain Price Support Bulletin 1 Supp. 1, Amdt. 2, Flaxseed]

PART 601—GRAINS AND RELATED COMMODITIES

SUBPART—1951-CROP FLAXSEED LOAN AND PURCHASE AGREEMENT PROGRAM

The regulations issued by the Commodity Credit Corporation and the Production and Marketing administration published in 16 F. R. 3875 and 9455 containing the requirements for the 1951-crop Flaxseed Price Support Program are hereby amended as follows:

Under § 601.882 *Support rates*, paragraph (c) *County support rates for No. 1 Flaxseed*, the additional support rates are established as follows:

1. The support rate for all counties in Maine is $2.61 per bushel.

2. To the schedule of rates for counties in Oklahoma add the following:

County:	Rate per bushel for No. 1
Comanche	$2.36
Cotton	2.36
Garfield	2.42
Kingfisher	2.40

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 301, 401, 63 Stat. 1053, 1054; 15 U. S. C. Sup., 714c, 7 U. S. C. Sup. 1447, 1421)

Issued this 24th day of October 1951.

[SEAL] ELMER F. KRUSE,
Vice President,
Commodity Credit Corporation.

Approved:

HAROLD K. HILL,
Acting President,
Commodity Credit Corporation.

[F. R. Doc. 51-12924; Filed, Oct. 26, 1951; 8:54 a. m.]

[1951 CCC Grain Price Support Bulletin 1, Supp. 1, Amdt. 3, Oats]

PART 601—GRAINS AND RELATED COMMODITIES

SUBPART—1951-CROP OATS LOAN AND PURCHASE AGREEMENT PROGRAM

The regulations issued by the Commodity Credit Corporation and the Production and Marketing Administration published in 16 F. R. 4287, 5918 and 9003 containing the requirements for the 1951-Crop Oats Price Support Program are hereby amended as follows:

Under § 601.958 *Support rates*, the additional support rates are established as follows:

1. The support rate for all counties in Connecticut is $0.84 per bushel.

2. The support rate for all counties in Massachusetts is $0.84 per bushel.

3. The support rate for all counties in Rhode Island is $0.84 per bushel.

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 301, 401, 63 Stat. 1053; 15 U. S. C. Sup., 714, 7 U. S. C. Sup. 1447, 1421)

Issued this 24th day of October 1951.

[SEAL] ELMER F. KRUSE,
Vice President,
Commodity Credit Corporation.

Approved:

HAROLD K. HILL,
Acting President,
Commodity Credit Corporation.

[F. R. Doc. 51-12925; Filed, Oct. 26, 1951; 8:54 a. m.]

[1951 CCC Cottonseed Bulletin 3, Amdt. 1]

PART 643—OILSEEDS

SUBPART—1951 COTTONSEED PRODUCTS PURCHASE PROGRAM

Paragraphs (a), (b) and (c) of § 643.578 of 1951 CCC Cottonseed Bulletin 3 (16 F. R. 8415) are amended in order to exclude cottonseed purchased from producers in lots of less than 10 tons; to eliminate the requirement for grading in certain areas and provide flat prices for such areas; and to permit crushers to determine weights in the manner customarily used for the 1950 crop cottonseed where grading is not required. Section 643.579 (a) is amended in order to include the State of New Mexico and the Texas counties of El Paso and Hudspeth with the State of Arizona in the table specifying the proportions of crude cottonseed oil, 41 percent protein cake or meal and linters to be tendered to CCC for each ton of cottonseed purchased by the crusher, and to exclude the State of New Mexico and the Texas counties of El Paso and Hudspeth from the Southwestern area in the table. Section 643.583 is amended to provide that payment for off-quality products shall be made by draft drawn on CCC by the crusher after the destination weight and quality and the applicable price have been determined.

1. Section 643.578 is amended to read as follows:

§ 643.578 *Purchases of cottonseed by crusher*—(a) *Cottonseed covered.* Only 1951 crop cottonseed purchased by the crusher from ginners participating in the 1951 cottonseed purchase program (1951 CCC Cottonseed Bulletin 2), or purchased by the crusher in lots of 10 tons or more from producers eligible under such program is covered by this subpart. Except as provided in paragraph (b) of this section the crusher must pay for all such cottonseed purchased under this subpart not less than $65.50 per ton basis grade (100), f. o. b. gin, with premiums and discounts for other grades equal to the same percentage of such price as the percentage by which the grade of cottonseed purchased exceeds or is less than the basis grade (100). Cottonseed which is "below grade" or "off quality" as defined in the rules of The National Cottonseed Products Association may be purchased at a price mutually agreeable to the crusher and the ginner or the producer selling the cottonseed. The names and addresses of participating ginners and the beginning dates of their participation will be furnished to the crusher by the appropriate PMA Commodity Office. The crusher may obtain and rely upon information in writing as to additions to the list of participating ginners from either the county or State PMA office or from the PMA Commodity office. If a participating ginner should become ineligible to deliver cottonseed, written notice to the crusher of such ineligibility will be given only by the appropriate PMA Commodity office.

(b) *Grading.* All cottonseed which is purchased by the crusher from participating ginners and eligible producers shall be graded in accordance with United States Official Standards for Grades of Cottonseed, and costs of sampling and chemical analysis of cottonseed shall be for the account of the crusher: *Provided*, That grading of cottonseed purchased from participating gins and eligible producers in California, Arizona, those counties in New Mexico west of but not including Colfax, Mora, San Miguel, Guadalupe, De Baca, Chaves, and Eddy Counties, and El Paso and Hudspeth Counties, Texas, shall not be required, and the crusher must pay for all such ungraded cottonseed not less than $69.00 per ton, f. o. b. gin, in California; and not less than $67.50 per ton, f. o. b. gin in Arizona and in the areas of New Mexico and Texas indicated above, except that cottonseed which is "below grade" or "off quality" may be purchased at a price mutually agreeable to the crusher and the ginner or producer selling the cottonseed.

(c) *Weight.* Purchases of cottonseed under this announcement shall be based upon weights at the crusher's mill after deduction of the weight of all foreign material in excess of 1 percent, except that where, as provided in paragraph (b) of this section, cottonseed purchases are not graded, weights may be determined in the manner customarily used by crushers for the 1950 crop cottonseed.

2. The table specified in § 643.579 (a) is amended to read as follows:

§ 643.579 *Purchase of cottonseed products by CCC*—(a) *Option to tender products.* * * *

	Oil (pounds)	41 percent protein cake or meal (pounds)	Linters (pounds)
Southeastern	311	839	184
Valley area	322	875	179
Southwestern area, excluding New Mexico and Texas counties of El Paso and Hudspeth	301	933	182
Arizona, New Mexico and Texas Counties of El Paso and Hudspeth	308	853	199
California	339	822	195

3. Section 643.583 is amended to read as follows:

§ 643.583 *Off-quality products.* In any case where cottonseed purchased by a crusher under this subpart can not be processed into prime quality products, the crusher may tender, in accordance with § 643.579, products of less than prime quality but not less than the quality indicated by chemical analyses of such cottonseed. The price of crude cottonseed oil of less than prime quality so tendered and delivered shall be computed by applying a discount determined in accordance with the rules of the National Cottonseed Products Association to the base price specified in § 643.581. The price of any cake or meal or linters of less than prime quality so tendered and delivered shall be mutually agreed upon between crusher and CCC. The crusher shall support each tender of less than prime quality products under this section with certificates of chemical analyses of the cottonseed purchased under this subpart and such other information as CCC may require. No provisional payment shall be made for off-quality products tendered and delivered. Payment for off-quality products shall be made by draft drawn on CCC by the crusher after the destination weight and

quality and the applicable price have been determined.

(Secs. 4, 5, 62 Stat. 1070, as amended, 1072, secs. 301, 401, 63 Stat. 1053, 1054; 15 U. S. C. Sup., 714b, 714c, 7 U. S. C. Sup. 1447, 1421)

Issued this 24th day of October 1951.

[SEAL] ELMER F. KRUSE,
Vice President,
Commodity Credit Corporation.

Approved:

HAROLD K. HILL,
Acting President,
Commodity Credit Corporation.

[F. R. Doc. 51-12922; Filed, Oct. 26, 1951; 8:53 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Docket No. AO 212-A3]

PART 907—MILK IN MILWAUKEE, WISCONSIN, MARKETING AREA

ORDER AMENDING ORDER, AS AMENDED, REGULATING HANDLING

§ 907.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR 900), a public hearing was held upon a proposed marketing agreement and certain proposed amendments to the order, as amended, regulating the handling of milk in the Milwaukee, Wisconsin, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act.

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is hereby found and determined that good cause exists for making this order amending the order, as amended, effective on November 1, 1951. Such action is necessary in the public interest in order to reflect current marketing conditions. Any further delay in the effective date of this order amending the order, as amended, will seriously impair the orderly marketing of milk in the Milwaukee marketing area. The provisions of the said amendatory order are well known to handlers and producers, the public hearing having been held on May 22-24, 1951, and a decision containing such provisions having been issued October 11, 1951. Reasonable time under the circumstances has been afforded persons affected to prepare for its effective date. Therefore, it would be contrary to the public interest to delay the effective date of this amendatory order for 30 days after its publication in the FEDERAL REGISTER. (See sec. 4 (c) Administrative Procedure Act, Pub. Law. 404, 79th Cong., 60 Stat. 237.)

(c) *Determinations.* It is hereby determined that handlers (excluding cooperative associations or producers who are not engaged in processing, distributing or shipping milk covered by this order amending the order, as amended) of more than 50 percent of the volume of the milk covered by this order amending the order, as amended, which is marketed within the said marketing area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area, and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order amending the order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of the producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order amending the order, as amended, is approved or favored by at least two-thirds of the producers who participated in a referendum on the question of approval of its issuance, and who, during the determined representative period, (June 1951) were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof the handling of milk in the Milwaukee, Wisconsin, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, and the aforesaid order, as amended, is hereby further amended as follows:

1. Delete §§ 907.7 through 907.10, inclusive, and substitute therefor the following:

§ 907.7 *Route.* "Route" means any delivery (other than to any milk processing or distributing plant) of Class I milk to a wholesale or retail stop(s) (including a sale from a plant store), or to a person(s) disposing of such milk to or at wholesale or retail stop(s), or to a governmental institution, but not including a sale on premises located outside the marketing area to retail customers for consumption in the marketing area.

§ 907.8 *Fluid milk plant.* "Fluid milk plant" means any milk plant in which Class I milk is pasteurized or packaged for distribution on a route in the marketing area.

§ 907.9 *Receiving station.* "Receiving station" means any milk plant in which milk is received from dairy farms and prepared for transfer to a fluid milk plant and is operated by (a) a person who also operates a fluid milk plant, or (b) a person who transfers milk to a fluid milk plant at which no milk is received from dairy farms.

§ 907.10 *Producer.* "Producer" means any person who produces milk which is received from the farm where produced at either a fluid milk plant or receiving station: *Provided,* That this definition shall not include any such person whose milk is not eligible for disposition as Class I milk by the purchasing handler under the health requirements applicable to the dairy farm supply of milk for any community in the marketing area in which such handler operates a route. This definition shall include (a) any person who is regularly classified as a producer but whose milk is caused to be diverted to a nonfluid milk plant by a handler, and milk so diverted shall be deemed to have been received by the handler at the fluid milk plant or receiving station from which it was diverted, and (b) any producer-handler to the extent of, and with respect to, bulk milk produced by him, and delivered to a fluid milk plant or receiving station.

2. Delete § 907.12 and substitute therefor the following:

§ 907.12 *Handler.* "Handler" means any person, including any cooperative association, in his capacity as the operator of a fluid milk plant or receiving station, but this definition shall not be deemed to include any governmental institution which has no disposition of Class I milk for use off its own premises.

3. Delete § 907.17 and substitute therefor the following:

§ 907.17 *Base milk.* "Base milk" means producer milk received by a handler during any of the months of April, May and June, which is not in excess of such producer's base multiplied by the number of days of delivery during such month.

4. Delete § 907.18 and substitute therefor the following:

§ 907.18 *Excess milk.* "Excess milk" means producer milk received by a handler in any of the months of April,

May and June in excess of base milk received from such producer during such month.

5. Add the following as § 907.19:

§ 907.19 *Non-base milk.* "Non-base milk" means milk received by a handler from any producer during any of the months of April, May and June for whom no base is applicable in accordance with the requirements of § 907.60.

6. Add the following as § 907.22 (i) (3):

(3) On or before the 12th day of each month the uniform prices computed pursuant to §§ 907.71, 907.72 and 907.73 for the preceding month.

7. Add the following as § 907.30 (b):

(b) The aggregate quantities of base milk and excess milk.

8. Add the following as § 907.31 (a):

(a) The total pounds of milk received from each producer, including for the months of April through June such producer's deliveries of base milk and excess milk.

9. Delete § 907.41 (a) (1) and substitute therefor the following:

(1) All milk disposed of in fluid form as milk, skim milk, buttermilk, flavored milk or flavored milk drink and as concentrated (including frozen) milk, concentrated flavored milk or concentrated flavored milk drinks not sterilized, except any such item disposed of in bulk to bakeries, soup companies, candy manufacturing establishments or other food processors in their capacity as such, and

10. Delete § 907.47 (d) and substitute therefor the following:

(d) In the event the total (computed) pounds of milk remaining in the several classes are different from the pounds of milk received from producers (including the handler's own farm production) plus the 3.5 percent milk equivalent of butterfat overrun, reconciliation of the difference shall be effected by deducting from, or adding to, as the case may be, (1) Class IV milk, such proportionate amount of the difference as the pounds of butterfat in Class IV are to the pounds of butterfat in all classes, and (2) Class III milk, the remaining pounds of milk to be reconciled, in such sequence; and the handler shall receive debit or credit with respect to such amounts at the announced prices of such classes, respectively, for the month.

11. Delete § 907.60 and substitute therefor the following:

§ 907.60 *Computation of base for each producer.* Except as set forth in paragraphs (b) and (c) of this section, for each of the months of April through June of each year, the market administrator shall compute a base for each producer (including any producer who also is a handler) as follows, subject to the rules set forth in § 907.61;

(a) Divide the total pounds of milk received by a handler(s) from each producer during the months of September through December immediately preceding by the number of days, not to be less than seventy-five, of such producer's delivery in such period, and increase the resulting amount by the following applicable percentage: (1) For April through June of 1952, forty percent (40%), (2) for April through June of 1953, thirty percent (30%), and (3) for each April through June thereafter, twenty percent (20%): *Provided*, That any producer for whom a base has been allotted shall have the option upon notice in writing to the market administrator given before the end of April in any year, to relinquish his base for such year and to be allotted a base equal to 80 percent of his deliveries during the month involved.

(b) Any producer who (1) was not a producer between November 1, 1950, and June 30, 1951, inclusive, or (2) re-enters the market as a producer following twelve or more consecutive months without producer status, shall have his milk deliveries considered as non-base milk for the first April-June period following his qualification (or re-qualification in the case of subparagraph (2) of this paragraph) as a producer; or upon notifying the market administrator prior to April 1 next following such qualification (or re-qualification) as a producer, he may elect to have a base computed in the manner provided in paragraph (a) of this section with respect to his deliveries of milk to any fluid milk plant, receiving station, or non-fluid plant, such deliveries to be subject to verification by the market administrator: *Provided*, That this paragraph shall not be construed to conflict with § 907.61 (a) or (b).

(c) Any producer for whom a base cannot be computed pursuant to paragraph (a) of this section and to whom paragraph (b) of this section does not apply shall be allotted a base for the next following April, May and June in the same manner provided for producers who relinquish their bases pursuant to the proviso in paragraph (a) of this section.

12. Delete § 907.61 and substitute therefor the following:

§ 907.61 *Base rules.* The following rules shall apply in connection with the establishment of bases:

(a) A base may be held jointly, or two or more bases may be combined to be held jointly, by two or more producers with respect to milk produced on a single farm according to their mutual agreement if specified in writing to the market administrator, and any such holder may transfer his interest in such jointly-held base to either (1) the remaining holder(s), or (2) another person under the conditions set forth in paragraph (b) of this section.

(b) Upon the death, retirement, or entry into military service of a producer, the base may be transferred to a member(s) of the immediate family who continues to supply producer milk from the same farm.

(c) In the event a producer having no base combines herds with a producer having a base, the base in effect shall be relinquished and in such case the milk of the combined herd delivered from the same farm shall be regarded as non-base milk until a new base is established pursuant to § 907.60 (a) for the next full April-June period; or upon notifying the market administrator prior to April 1 of any year, such producers may elect to have a joint base for April, May and June of such year computed in the manner provided in § 907.60 (a) with respect to their deliveries of milk to any fluid milk plant, receiving station, or non-fluid milk plant, such deliveries to be subject to verification by the market administrator.

(d) If a producer operates more than one farm, he may establish a separate base with respect to producer milk delivered from each such farm: *Provided*, That if a base has been established with respect to producer milk produced on any farm, no milk shall be delivered from such farm as non-base milk.

(e) The market administrator on or before March 1 shall notify each handler of the base of each of the producers delivering to his plant(s) as computed pursuant to § 907.60, and on or before March 15 shall notify each producer of his base or provide for notice thereof to such producer by the handler or cooperative association of which such producer is a member.

13. Delete § 907.70 and substitute therefor the following:

§ 907.70 *Computation of milk value for each handler.* On or before the 12th day of each month, the market administrator shall examine for mathematical correctness and obvious errors the report of receipts and utilization submitted by each handler for the preceding month and shall make such corrections as such examination shall indicate to be appropriate. From such corrected reports and from records of audit and other adjustments, he shall compute the value of all producer milk received by such handler (including such handler's own farm production) to be used for computing the uniform prices as follows:

(a) Multiply the total hundredweight of such milk in each class by the applicable class price and add together the resulting amounts;

(b) Add or deduct, as the case may be, the amount of money involved in adjustments resulting from verification by the market administrator of the handler's reports for previous months;

(c) Add or deduct, as the case may be, the amount of money involved in adjusting the handler's preceding month's uniform price(s) to the nearest cent; the result shall be the net value of milk from producers to be used in computing the uniform prices of milk to be paid producers.

14. Delete § 907.71 and substitute therefor the following:

§ 907.71 *Computation of uniform price for each handler.* The market administrator shall compute for each handler a uniform price per hundredweight of producer milk for each month in the following manner: Divide the value computed pursuant to § 907.70 (c) by the hundredweight of producer milk received by such handler and adjust to the nearest cent. This result shall be known as the uniform price for such handler of milk of 3.5 percent butterfat

content received at his fluid milk plant(s) or receiving station(s).

15. Insert the following section after § 907.71:

§ 907.72 *Excess milk price.* For each of the months of April, May and June the uniform price per hundredweight of excess milk shall be the Class III price computed pursuant to § 907.51 (c) for the respective month, adjusted to the nearest full cent.

16. Insert the following section after § 907.72:

§ 907.73 *Computation of the base milk price.* The market administrator shall compute for each handler the price to be paid per hundredweight of base milk for each of the months of April through June as follows:

(a) Multiply the total pounds of nonbase milk for each handler by the uniform price computed for each such handler, pursuant to § 907.71.

(b) Multiply the total pounds of excess milk for each handler by the applicable excess milk price, pursuant to § 907.72.

(c) Subtract the amounts arrived at in paragraphs (a) and (b) of this section from the net value of producer milk computed pursuant to § 907.70 (c).

(d) Divide the resultant value by the total hundredweight of base milk and adjust to the nearest cent. This result shall be known as the uniform price per hundredweight for base milk of 3.5 percent butterfat content received at a handler's fluid milk plant(s) and receiving station(s).

17. Delete § 907.80 and substitute therefor the following:

§ 907.80 *Time and method of payment for producer milk.* (a) On or before the 15th day after the end of each of the months of July through March, each handler shall make payment to each producer for all milk received from such producer during such month at not less than the uniform price per hundredweight computed for such handler (§ 907.71), subject to the butterfat differential provided by § 907.81 and to the deduction specified in § 907.83: *Provided,* That if a cooperative association of which such producer is a member is authorized to receive payment for such producer and requests receipt of such payment, payment shall be made to such cooperative association on or before the 13th day after the end of such month: *And provided also,* That the provisions of this paragraph shall not be construed to restrict any cooperative association qualified under section 8c (5) (F) of the act from making payment for milk to its producers in accordance with such provision of the act;

(b) On or before the 15th day after the end of each of the months of April through June, each handler shall make payment to each producer for milk received from such producer during such month as follows: Subject to the butterfat differential provided by § 907.81, the deduction specified in § 907.83, and both provisos of paragraph (a) of this section:

(1) For non-base milk, at not less than the uniform price per hundredweight computed pursuant to § 907.71.

(2) For excess milk, at not less than the uniform price for excess milk computed pursuant to § 907.72.

(3) For base milk, at not less than the uniform price for base milk pursuant to § 907.73: *Provided,* That if such uniform price for base milk is not higher than the price for excess milk pursuant to § 907.72, such handler, in lieu of making payment pursuant to this subparagraph and subparagraph (2) of this paragraph, shall make payment for all producer milk received during such month in the manner provided for non-base milk pursuant to subparagraph (1) of this paragraph.

(c) On or before the 15th day after the end of each month, each handler shall pay to each cooperative association which is a handler, for receipts of milk or milk products subject to classification pursuant to §§ 907.40 and 907.41, an amount of money representing not less than the total value of such milk or milk products computed by multiplying the pounds in each class by the applicable class price per hundredweight subject to a butterfat differential computed as in § 907.81.

18. Amend § 907.82 to read as follows:

§ 907.82 *Expense of administration.* As his pro rata share of the expenses incurred pursuant to § 907.22, each handler shall pay to the market administrator, on or before the 15th day after the end of each month, 3 cents per hundredweight, or such amount not exceeding 3 cents per hundredweight as the Secretary from time to time may prescribe, with respect to all (a) producer milk (including such handler's own production) received during such month, and (b) other source milk classified as Class I milk or Class II milk during such month on a 3.5 percent milk equivalent basis: *Provided,* That any other source milk derived from milk subject to an assessment for expense of administration under a marketing agreement or order issued pursuant to the act for another fluid milk marketing area shall not be subject to assessment pursuant to this section.

19. Amend § 907.90 to read as follows:

§ 907.90 *Producer-handlers.* Sections 907.40 to 907.47, 907.50 to 907.51, 907.60 to 907.61, 907.70 to 907.73, and 907.80 to 907.85, inclusive, shall not apply to a producer-handler, except as provided in § 907.10.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Issued at Washington, D. C., this 23d day of October 1951, to be effective on and after the 1st day of November 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-12927; Filed, Oct. 26, 1951; 8:55 a. m.]

[Orange Reg. 203]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.538 *Orange Regulation 203—(a) Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than October 29, 1951. Shipments of oranges, grown in the State of Florida, have been subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, since September 15, 1951, and will so continue until October 29, 1951; the recommendation and supporting information for continued regulation subsequent to October 28 was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on October 23; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of oranges; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., October 29, 1951, and ending at 12:01 a. m., e. s. t., November 12, 1951, no handler shall ship:

(i) Any oranges, except Temple oranges, grown in Regulation Area I which grade U. S. No. 2 Bright, U. S. No. 2, U. S. No. 2 Russet, U. S. No. 3, or lower than U. S. No. 3 grade;

(ii) Any oranges, except Temple oranges, grown in Regulation Area II

which grade U. S. No. 2, Russett, U. S. No. 3, or lower than U. S. No. 3 grade;

(iii) Any oranges, except Temple oranges, grown in Regulation Area II which grade U. S. No. 2 or U. S. No. 2 Bright unless such oranges (*a*) are in the same container with oranges which grade at least U. S. No. 1 Russett and (*b*) are not in excess of 50 percent, by count, of the number of all oranges in such container; or

(iv) Any oranges, except Temple oranges, grown in Regulation Area I or Regulation Area II which are of a size smaller than 2$^{8}/_{16}$ inches in diameter, measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit, except that a tolerance of 10 percent, by count, of oranges smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the revised United States Standards for Oranges (7 CFR 51.192): *Provided*, That in determining the percentage of oranges in any lot which are smaller than 2$^{8}/_{16}$ inches in diameter, such percentage shall be based only on those oranges in such lot which are of a size 2$^{1}/_{16}$ inches in diameter and smaller.

(2) As used in this section, the terms "handler," "ship," "Regulation Area I," "Regulation Area II," and "Growers Administrative Committee" shall each have the same meaning as when used in said amended marketing agreement and order; and the terms "U. S. No. 1 Russet," "U. S. No. 2 Bright," "U. S. No. 2," "U. S. No. 2 Russet," "U. S. No. 3," and "container" shall each have the same meaning as when used in the revised United States Standards for Oranges (7 CFR 51.192).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 25th day of October 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51-13026; Filed, Oct. 26, 1951; 8:48 a. m.]

[Grapefruit Reg. 148]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.539 *Grapefruit Regulation 148*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR, Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than October 29, 1951. Shipments of grapefruit grown in the State of Florida, have been subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, since September 17, 1951, and will so continue until October 29, 1951; the recommendation and supporting information for continued regulation subsequent to October 28 was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on October 23; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time thereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of grapefruit; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., October 29, 1951, and ending at 12:01 a. m., e. s. t., November 12, 1951, no handler shall ship:

(i) Any grapefruit of any variety, grown in the State of Florida, which do not grade at least U. S. No. 2;

(ii) Any seeded grapefruit, other than pink grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 70 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box;

(iii) Any seedless grapefruit, other than pink grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 96 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box;

(iv) Any pink seeded grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 80 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box; or

(v) Any pink seedless grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 112 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box.

(2) As used in this section, "handler," "variety," and "ship," shall have the same meaning as when used in said amended marketing agreement and order; and "U. S. No. 2," "standard pack," and "standard nailed box" shall have the same meaning as when used in the revised United States Standards for Grapefruit (7 CFR 51.191).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 25th day of October 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51-13023; Filed, Oct. 26, 1951; 8:48 a. m.]

[Tangerine Reg. 113]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.540 *Tangerine Regulation 113*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of tangerines, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than October 29, 1951. Shipments of tangerines, grown in the State of Florida, have been subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, since October 15, 1951, and will so continue until October 29, 1951; the recommendation and sup-

porting information for continued regulation subsequent to October 28 was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on October 23; such meeting was held to consider recommendations for regulaton, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time thereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such tangerines; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of tangerines; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., October 29, 1951, and ending at 12:01 a. m., e. s. t., November 12, 1951, no handler shall ship:

(i) Any tangerines, grown in the State of Florida, that do not grade at least U. S. No. 2; or

(ii) Any tangerines, grown in the State of Florida, that are of a size smaller than the size that will pack 210 tangerines, packed in accordance with the requirements of a standard pack, in a half-standard box (inside dimensions 9½ x 9½ x 19⅛ inches; capacity 1,726 cubic inches).

(2) As used in this section, "handler," "ship," and "Growers Administrative Committee" shall have the same meaning as when used in said amended marketing agreement and order; and "U. S. No. 2" and "standard pack" shall have the same meaning as when used in the United States Standards for Tangerines (7 CFR 51.416).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 25th day of October 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51-13025; Filed, Oct. 26, 1951; 8:48 a. m.]

PART 939—BEURRE D'ANJOU, BEURRE BOSC, WINTER NELIS, DOYENNE DU COMICE, BEURRE EASTER, AND BEURRE CLAIRGEAU VARIETIES OF PEARS GROWN IN OREGON, WASHINGTON, AND CALIFORNIA

RULES AND REGULATIONS

Notice was published in the September 22, 1951, daily issue of the FEDERAL REGISTER (16 F. R. 9696) that the Department was giving consideration to a proposed revision of the rules and regulations (7 CFR 939.100 et seq.; Subpart—Rules and Regulations) currently in effect pursuant to the marketing agreement, as amended, and Order No. 39, as amended (7 CFR Part 939), regulating the handling of Beurre D'Anjou, Beurre Bosc, Winter Nelis, Doyenne du Comice, Beurre Easter, and Beurre Clairgeau varieties of pears grown in the States of Oregon, Washington, and California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.).

After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice which were submitted by the Control Committee (established pursuant to the aforesaid amended marketing agreement and order), it is hereby found and determined that the revision, as hereinafter set forth, of the said rules and regulations is in accordance with the provisions of the said amended marketing agreement and order and it is hereby approved:

SUBPART—CONTROL COMMITTEE RULES AND REGULATIONS

DEFINITIONS

Sec.
939.100 Terms.
939.101 Marketing agreement.
939.102 Order.

COMMUNICATIONS

939.105 Communications.

EXEMPTION CERTIFICATES

939.110 Application for exemption certificate.
939.111 Exemption committee.
939.112 Issuance of exemption certificate.
939.113 Appeal to Control Committee.
939.114 Appeal to Secretary.

EXEMPTIONS AND SAFEGUARDS

939.120 Pears for charitable or by-products purposes.
939.121 Pears for gift purposes.
939.122 Shipments to designated storages.

REPORTS

939.125 Reports.

AUTHORITY: §§ 939.100 to 939.125 issued under Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c.

SUBPART—CONTROL COMMITTEE RULES AND REGULATIONS

DEFINITIONS

§ 939.100 *Terms.* Each term used in this subpart shall have the same meaning as when used in the marketing agreement and order.

§ 939.101 *Marketing agreement.* "Marketing agreement" means Marketing Agreement No. 89, as amended, regulating the handling of Beurre D'Anjou, Beurre Bosc, Winter Nelis, Doyenne du Comice, Beurre Easter, and Beurre Clairgeau varieties of pears grown in the States of Oregon, Washington, and California.

§ 939.102 *Order.* "Order" means Order No. 39, as amended (7 CFR Part 939), regulating the handling of Beurre D'Anjou, Beurre Bosc, Winter Nelis, Doyenne du Comice, Beurre Easter, and Beurre Clairgeau varieties of pears grown in the States of Oregon, Washington, and California.

COMMUNICATIONS

§ 939.105 *Communications.* Unless otherwise prescribed in this subpart, or in the marketing agreement and order, or required by the Control Committee, all reports, applications, submittals, requests, inspection certificates, and communications in connection with the marketing agreement and order shall be forwarded to:

Winter Pear Control Committee,
502 Woodlark Building,
Portland 5, Oregon.

EXEMPTION CERTIFICATES

§ 939.110 *Application for exemption certificate.* Each application (pursuant to § 939.54 *Exemption certificates*) for an exemption certificate authorizing the shipment during a particular marketing season of any variety of pears shall be filed with the secretary of the Control Committee not later than November 15 of such marketing season. Each such application duly mailed to and duly received by the secretary of the Control Committee shall be deemed to have been filed with the secretary as of the date of such mailing. Each application shall contain the following information on Form E-1 "Grower Application for Exemption Certificate":

(a) The name and address of the applicant;

(b) The location of the orchard (by district and distance from the nearest town) from which the fruit is to be shipped pursuant to the exemption certificate;

(c) The number and age of the trees producing the particular variety for which exemption is requested;

(d) The quantity of such variety which could be shipped by the applicant in the absence of the grade, size, or quality regulations in effect at the time the application is filed;

(e) The quantity of such variety which meets the requirements of the aforesaid effective grade, size, or quality regulations;

(f) The total crop of the particular variety of pears and the quantity shipped during the preceding marketing season;

(g) The names of the shippers who shipped all or any portion of the applicant's aforesaid crop during the preceding marketing season;

(h) The reasons why the quantity of the particular variety of pears, for which exemption is requested, does not meet the aforesaid effective grade, size, or quality regulations; and

(i) The name of the shipper or shippers who will ship the exempted pears if the exemption certificate is issued.

§ 939.111 *Exemption committee.* The members and alternate members of the Control Committee residing in the district in which the applicant grower's orchard is located shall act as an exemption committee for that district and shall make or cause to be made such investigation as may be necessary to determine whether and to what extent such applicant will be prevented, because of the aforesaid grade, size, or quality regulations in effect, from shipping as large a percentage of the particular variety of

his pears as the percentage of all pears of that particular variety permitted to be shipped from his district as determined by the Control Committee. In the event any member or alternate member of the Control Committee shall himself apply for an exemption certificate he shall be disqualified to serve as a member of the exemption committee to act upon the application.

§ 939.112 *Issuance of exemption certificate.* In the event such exemption committee finds and determines from proof satisfactory to the committee that the applicant is entitled to an exemption certificate, such exemption certificate shall be issued so as to permit the applicant to ship or have shipped the requisite quantity of his pears. Each exemption certificate shall be signed by the secretary or assistant secretary of the Control Committee and one copy thereof shall be delivered to the grower, one copy shall be delivered to each shipper designated by the grower to receive a copy, and one copy shall be retained in the files of the Control Committee. In the event the secretary of the Control Committee has reason to believe that any such finding or determination by an exemption committee is improper or not in accordance with the facts, he may disapprove the same, and shall make or cause to be made such further investigation as he may determine to be necessary or advisable, and may request or obtain such information as he may deem necessary to enable him to determine whether or not and to what extent an applicant is entitled to an exemption certificate.

§ 939.113 *Appeal to Control Committee.* Any grower, whose application is denied in whole or in part by the appropriate exemption committee or by the secretary of the Control Committee, may file a written appeal with the Control Committee within fifteen (15) days after the date of the notice to such grower of the decision involved. Upon receipt of such appeal, the secretary of the Control Committee shall submit the same, together with all applicable information and data, including the report of the exemption committee on that grower's application to the members of the Control Committee, who thereafter shall review the same and shall determine whether and to what extent the applicant is entitled to an exemption certificate. Thereupon the secretary of the Control Committee shall issue to that grower such exemption certificate as the Control Committee shall determine to be proper.

§ 939.114 *Appeal to Secretary.* Any grower who is dissatisfied with the Control Committee's determination with respect to any appeal by that grower from a decision by an exemption committee or by the secretary of the Control Committee with respect to that grower's application for an exemption certificate, may appeal from such determination by the Control Committee to the Secretary of Agriculture. Any such appeal shall be made by filing with the secretary of the Control Committee a written notice of appeal within fifteen (15) days after notice to that grower of the aforesaid determination by the Control Committee. Promptly upon receipt of notice of an appeal signed by the applicant, the secretary of the Control Committee shall forward to the Secretary of Agriculture, or to his designated representative, a true and correct copy of all information pertaining to that grower's application for an exemption certificate and the action taken thereon by the Control Committee, together with such written information and proof as was submitted to or obtained by the Control Committee with regard to said application, and a true copy of the appellant grower's notice of appeal.

EXEMPTIONS AND SAFEGUARDS

§ 939.120 *Pears for charitable or by-product purposes.* Pears which do not meet the requirements of the then effective grade, size, or quality regulations shall not be shipped or handled for consumption by any charitable institution or for distribution by any relief agency or for conversion into any by-product, unless there first shall have been delivered to the manager of the Control Committee a certificate executed by the intended receiver and user of said pears showing, to the manager's satisfaction, that said pears actually will be used for one or more of the aforesaid purposes.

§ 939.121 *Pears for gift purposes.* There are exempted from the provisions of the marketing agreement and order any and all pears which, in individual gift packages, are shipped directly to, or which are shipped for distribution without resale to, an individual person as the consumer thereof, and any and all pears which, in individual gift packages are shipped directly to, or are shipped for distribution without resale to, a purchaser who will use these pears solely for gift purposes and not for sale.

§ 939.122 *Shipments to designated storages.* (a) Pears may be shipped without prior inspection and certification to any public storage warehouse in Yakima, Zillah, or Grandview, in the State of Washington, Klamath Falls, Oregon, or Tulelake, California, for storage therein in transit: *Provided*, That any pears so shipped shall be inspected, and a certificate issued with respect thereto, as provided in § 939.60, prior to such pears being removed from such warehouse and the handler thereof shall submit to the Control Committee, at the times specified in this section, the following information with respect to each such shipment:

(1) At the time of shipment to the warehouse there shall be reported name and address of handler; date; destination, including the name of the warehouse; quantity of each variety of pears; and date of shipment; and

(2) At the time any pears so shipped are removed from the warehouse there shall be reported name and address of handler; date such pears were removed from the warehouse; inspection certificate number; quantity of each variety of pears; date such pears were shipped to the warehouse; and date of the previous report regarding such pears pursuant to subparagraph (1) of this paragraph; such reports shall be in addition to, and not in lieu of, the reports required under § 939.125 (b) and (c).

(b) Any pears shipped to one of the aforesaid storage warehouses pursuant to this section which, upon inspection, do not meet the requirements of the then effective grade, size, or quality regulations may be (1) repacked at such warehouse so as to meet such requirements, (2) sold and delivered within the state where such warehouse is located for processing or conversion into by-products, or (3) returned to the state where the pears were produced for repacking or for sale within such state: *Provided*, That there first shall have been submitted to the manager of the Control Committee proof, satisfactory to the manager, that the pears will not be handled contrary to the provisions of the marketing agreement and order; such proof shall include, in the case of sale and delivery for by-products purposes, a written certificate, executed by both the handler and the intended receiver, stating that the pears will be processed or converted into by-products within the state where such warehouse is located.

REPORTS

§ 939.125 *Reports.* (a) Each shipper handling pears covered by an exemption certificate shall keep an accurate record, in the manner provided on such certificate, of all shipments of such pears. Such shipper, after having shipped as many pears as authorized by the particular exemption certificate, shall promptly mail to the secretary of the Control Committee, such handler's copy of the exemption certificate containing an accurate record of such shipments.

(b) Each handler shall furnish to the Control Committee as of the 1st day and the 15th day, respectively, of each calendar month a report containing the following information on Form 1 "Handler's Statement of Pear Shipments":

(1) The number of standard western pear boxes (two half boxes shall be counted as one box) of each variety of pears shipped by that handler during the preceding half month;

(2) The date of each shipment;

(3) The car numbers or truck license numbers, as the case may be, of all cars or trucks in which such shipments were made;

(4) The number of the inspection certificate (including the reinspection certificate number, if any) issued with respect to each such shipment;

(5) The ultimate destination, by city and State; and

(6) The name and address of such handler.

(c) Each handler shall furnish to the Control Committee, as of October 15 of each season and as of the fifteenth and last days of each month thereafter, a report containing the following information on Form 4R, "Handlers' Packout Report":

(1) The total of the packout of each variety;

(2) The quantity of each variety loose in storage;

(3) The volume of each variety sold, unsold, stored east and west, and in transit; and

(4) The name and address of such handler.

(d) Each handler who has pears inspected and certificated in lots larger than carload lots and who wishes to rely on such lot inspections in lieu of inspection certificates for individual carlot shipments shall deliver to the manager within 10 days after shipment of any such pears a written report showing the quantity, variety, grade, and size of the pears so shipped and the date of shipment thereof, and said report shall identify such pears with the lot-inspection certificate covering the same, and shall further show what portion of that lot remains unshipped, and where located; such report shall be in addition to, and not in lieu of, the semimonthly handler's reports of shipments required under paragraphs (b) and (c) of this section.

(e) Each handler shall specify on each bill of lading covering each shipment the variety, and number of boxes thereof, of all pears included in that shipment.

Done at Washington, D. C., this 23d day of October 1951, to become effective 30 days after publication in the FEDERAL REGISTER.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-12894; Filed, Oct. 26, 1951; 8:50 a. m.]

[Lemon Reg. 405, Amdt. 1]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

Findings. 1. Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

2. It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice and engage in public rule making procedure (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient; and this amendment relieves restrictions on the handling of lemons grown in the State of California or in the State of Arizona.

Order, as amended. The provisions in paragraph (b) (1) (ii) of § 953.512 (Lemon Regulation 405, 16 F. R. 10723) are hereby amended to read as follows:

(ii) District 2: 225 carloads.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Done at Washington, D. C., this 25th day of October 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51-13059; Filed, Oct. 26, 1951; 8:50 a. m.]

[Lemon Reg. 406]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.513 *Lemon Regulation 406*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 14 F. R. 3612), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permited, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on October 24, 1951, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., October 28, 1951, and ending at 12:01 a. m., P. s. t., November 4, 1951, is hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 225 carloads;

(iii) District 3: Unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached to Lemon Regulation 405 (16 F. R. 10723), and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads," "prorate base," "District 1," "District 2," and "District 3," shall have the same meaning as when used in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 25th day of October 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51-13060; Filed, Oct. 26, 1951; 8:50 a. m.]

PART 958—IRISH POTATOES GROWN IN COLORADO

APPROVAL OF BUDGETS OF EXPENSES AND FIXING RATES OF ASSESSMENT FOR 1950-51 AND 1951-52 FISCAL PERIODS

Notice of proposed rule making regarding rules and regulations relative to (a) an amended budget and rate of assessment for the 1950-51 fiscal period and (b) a proposed budget and rate of assessment for the 1951-52 fiscal period to be made effective under Marketing Agreement No. 97 and Order No. 58 (7 CFR Part 958) regulating the handling of Irish potatoes grown in Colorado, was published in the FEDERAL REGISTER on September 11, 1951 (16 F. R. 9198). This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.). After consideration of all relevant matters presented, including the proposed budgets and rates of assessment set forth in the aforesaid notice, and submitted for approval by the administrative committee for Area No. 2, the following is hereby approved:

The provisions in paragraphs (a) and (b) of § 958.205 *Budget of expenses and*

rate of assessment, Area No. 2, (15 F. R. 6239), are hereby amended to read as follows:

(a) The expenses necessary to be incurred by the administrative committee for Area No. 2, established pursuant to Marketing Agreement No. 97 and Order No. 58, to enable such committee to carry out its functions pursuant to the provisions of the aforesaid marketing agreement and order, during the fiscal period ending May 31, 1951, will amount to $7,650.52.

(b) The rate of assessment to be paid by each handler who first ships potatoes shall be $0.00250695 per hundredweight of potatoes handled by him as the first handler thereof during said fiscal period.

The section as amended reads as follows:

§ 958.209 *Budget of expenses and rate of assessment for the 1951–52 fiscal period.* (a) The expenses necessary to be incurred by the administrative committee for Area No. 2, established pursuant to Marketing Agreement No. 97 and Order No. 58, to enable such committee to carry out its functions pursuant to the provisions of the aforesaid marketing agreement and order, during the fiscal period ending May 31, 1952, will amount to $4,252.50.

(b) The rate of assessment to be paid by each handler who first ships potatoes shall be three-sixteenths of one cent ($0.001875) per hundredweight of potatoes handled by him as the first handler thereof during said fiscal period.

(c) Notwithstanding the approval of the aforesaid expenses, none of such funds may be used to pay any wage or salary that is inconsistent with the Defense Production Act of 1950, as amended, Executive Order No. 10161, or any supplementary order, directive, or regulation pursuant thereto; and

(d) The terms used in this section shall have the same meaning as when used in Marketing Agreement No. 97 and Order No. 58 (7 CFR Part 958).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Done at Washington, D. C., this 23d day of October 1951, to become effective 30 days after publication hereof in the FEDERAL REGISTER.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51–12895; Filed, Oct. 26, 1951; 8:50 a. m.]

[Orange Reg. 394, Amdt. 1]

PART 966—ORANGES GROWN IN CALIFORNIA OR IN ARIZONA

LIMITATION OF SHIPMENTS

Findings. 1. Pursuant to the provisions of Order No. 66 (7 CFR, Part 966) regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

2. It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient; and this amendment relieves restrictions on the handling of oranges grown in the State of California or in the State of Arizona.

Order, as amended. The provision in paragraph (b) (1) (i) (*b*) of § 966.540 (Orange Regulation 394, 16 F. R. 10725) are hereby amended to read as follows:

(i) Valencia oranges.* * *

(*b*) Prorate District No. 2: 1,000 carloads;

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 25th day of October 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51–13024; Filed, Oct. 26, 1951; 8:48 a. m.]

[Orange Reg. 395]

PART 966—ORANGES GROWN IN CALIFORNIA OR IN ARIZONA

LIMITATION OF SHIPMENTS

§ 966.541 *Orange Regulation 395*—(a) *Findings.* (1) Pursuant to the provisions of Order No. 66, as amended (7 CFR Part 966; 14 F. R. 3614), regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said amended order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of oranges, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Orange Administrative Committee on October 25, 1951, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) Subject to the size requirements in Orange Regulation 372, as amended (7 CFR 966.518; 16 F. R. 4678, 5652), the quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning 12:01 a. m., p. s. t., October 28, 1951, and ending at 12:01 a. m., p. s. t., November 4, 1951, is hereby fixed as follows:

(i) *Valencia oranges*—(*a*) Prorate District No. 1: No movement;

(*b*) Prorate District No. 2: 800 carloads;

(*c*) Prorate District No. 3: No movement;

(*d*) Prorate District No. 4: No movement.

(ii) *Oranges other than Valencia oranges.* (*a*) Prorate District No. 1: No movement;

(*b*) Prorate District No. 2: Unlimited movement;

(*c*) Prorate District No. 3: No movement;

(*d*) Prorate District No. 4: No movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "varieties," "carloads," and "prorate base" shall have the same meaning as when used in the said amended order; and the terms "Prorate District No. 1," "Prorate District No. 2," "Prorate District No. 3," and "Prorate District No. 4" shall each have the same

meaning as given to the respective terms in § 966.107, as amended (15 F. R. 8712), of the current rules and regulations (7 CFR 966.103 et seq.), as amended (15 F. R. 8712).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 26th day of October 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

[12:01 a. m., P. s. t., Oct. 28, 1951, to 12:01 a. m., P. s. t., Nov. 4, 1951]

VALENCIA ORANGES

Prorate District No. 2

Handler	Prorate base (percent)
Total	100.0000
A. F. G. Alta Loma	.0000
A. F. G. Corona	.0432
A. F. G. Fullerton	1.3338
A. F. G. Orange	.4533
A. F. G. Riverside	.1428
A. F. G. San Juan Capistrano	.0000
A. F. G. Santa Paula	.4958
Eadington Fruit Co., Inc	6.1353
Hazeltine Packing Co	.3909
Krinard Packing Co	.2690
Placentia Cooperative Orange Association	.7866
Placentia Pioneer Valencia Growers Association	.8821
Signal Fruit Association	.0480
Azusa Citrus Association	.5746
Covina Citrus Association	1.3128
Covina Orange Growers Association	.6110
Damerel-Allison Association	.7912
Glendora Citrus Association	.2226
Glendora Mutual Orange Association	.3874
Valencia Heights Orchard Association	.5988
Gold Buckle Association	.1682
La Verne Orange Association	.6848
Anaheim Valencia Orange Association	1.4068
Fullerton Mutual Orange Association	3.2368
La Habra Citrus Association	1.0992
Yorba Linda Citrus Association, The	1.2665
Escondido Orange Association	.0000
Alta Loma Heights Citrus Association	.0000
Citrus Fruit Growers	.0000
Etiwanda Citrus Fruit Association	.0000
Old Baldy Citrus Association	.0000
Rialto Heights Orange Growers	.0567
Upland Citrus Association	.0000
Upland Heights Orange Association	.0000
Consolidated Orange Growers	2.1926
Frances Citrus Association	1.3752
Garden Grove Citrus Association	1.9319
Goldenwest Citrus Association	1.9935
Irvine Valencia Growers	3.8603
Olive Heights Citrus Association	2.7691
Santa Ana-Tustin Mutual Citrus Association	1.1342
Santiago Orange Growers Association	4.9345
Tustin Hills Citrus Association	2.3029
Villa Park Orchard Association	2.4471
Bradford Brothers	1.0046
Placentia Mutual Orange Association	4.3129
Placentia Orange Growers Association	3.8463
Yorba Orange Growers Association	1.0128

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Call Ranch	0.0000
Corona Citrus Association	.4825
Jameson Co	.1103
Orange Heights Orange Association	.6463
Crafton Orange Growers Association	.0000
East Highlands Citrus Association	.0000
Redlands Heights Groves	.2174
Redlands Orangedale Association	.0000
Rialto-Fontana Citrus Association	.1087
Break & Son, Allen	.0000
Bryn Mawr Fruit Growers Association	.0000
Mission Citrus Association	.0000
Redlands Cooperative Fruit Association	.2597
Redlands Orange Growers Association	.0000
Redlands Select Groves	.0000
Rialto Orange Co	.2058
Southern Citrus Association	.0000
United Citrus Growers	.0000
Zilen Citrus Co	.0000
Arlington Heights Citrus Co	.1224
Brown Estate, L. V. W	.0471
Gavilan Citrus Association	.1230
Highgrove Fruit Association	.0565
McDermont Fruit Co	.1268
Monte Vista Citrus Association	.1803
National Orange Co	.0388
Riverside Citrus Association	.0000
Riverside Heights Orange Growers Association, The	.0331
Sierra Vista Packing Association	.0326
Victoria Ave. Citrus Association	.1748
Claremont Citrus Association	.1263
College Heights Orange & Lemon Association	.3119
Indian Hill Citrus Association	.0000
Pomona Fruit Growers Exchange	.3629
Walnut Fruit Growers Association	.6076
West Ontario Citrus Association	.2034
El Cajon Valley Citrus Association	.0000
Escondido Cooperative Citrus Association	.0000
San Dimas Orange Growers Association	.3306
Canoga Citrus Association	.9099
North Whittier Heights Citrus Association	1.0025
San Fernando Heights Orange Association	.7923
Sierra Madre-Lamanda Citrus Association	.1829
Camarillo Citrus Association	1.5206
Fillmore Citrus Association	3.1232
Mupu Citrus Association	2.1728
Ojai Orange Association	.0000
Piru Citrus Association	2.2080
Rancho Sespe	.3927
Santa Paula Orange Association	.9376
Tapo Citrus Association	.9436
Ventura County Citrus Association	.4879
Limoneira Co	.5914
East Whittier Citrus Association	.0000
Murphy Ranch Co	.0000
Anaheim Cooperative Orange Association	2.3388
Bryn Mawr Mutual Orange Association	.1556
Chula Vista Mutual Lemon Association	.0000
Euclid Avenue Orange Association	.6084
Foothill Citrus Union, Inc	.0000
Fullerton Cooperative Orange Association	.0000
Garden Grove Orange Cooperative, Inc	1.4523
Golden Orange Groves, Inc	.1990
Highland Mutual Groves	.0000
Index Mutual Association	.5051
La Verne Cooperative Citrus Association	1.8476
Olive Hillside Groves, Inc	.0000

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Orange Cooperative Citrus Association	2.0459
Redlands Foothill Groves	.4482
Redlands Mutual Orange Association	.0000
Ventura County Orange & Lemon Association	1.3413
Whittier Mutual Orange & Lemon Association	.1913
Babijuice Corp. of California	.9725
Banks, L. M	.8124
Becker, Samuel Eugene	.0104
Bennett Fruit Co	.0000
Borden Fruit Co	.7894
Cherokee Citrus Co., Inc	.0000
Chess Co., Meyer W	.4580
Dozier, Paul M	.0139
Dunning Ranch	.0000
Evans Brothers Packing Co	.4388
Gold Banner Association	.0000
Granada Hills Packing Co	.0000
Granada Packing House	.4774
Hill Packing Co., Fred A	.0393
Knapp Packing Co., John C	.7519
L Bar S Ranch	.0000
Lawson, William J	.0000
Lima & Sons, Joe	.1550
Orange Belt Fruit Distributors	1.7761
Orange Hill Groves	.0114
Otte, Arnold	.0807
Panno Fruit Co., Carlo	.4029
Paramount Citrus Association	1.1930
Patitucci, Frank L	.0101
Placentia Orchard Co	.6373
Prescott, John A	.0212
Redlands Fruit Association, Inc	.0000
Ronald, P. W	.0233
San Antonio Orchard Co	.2875
Stephens, T. F	.1124
Summit Citrus Packers	.0029
Treesweet Products Co	.0996
Wall, E. T., Grower-Shipper	.0963
Western Fruit Growers, Inc	.5025

[F. R. Doc. 51-13082; Filed, Oct. 26, 1951; 11:18 a. m.]

PART 988—MILK IN KNOXVILLE, TENNESSEE, MARKETING AREA

ORDER AMENDING ORDER, AS AMENDED, REGULATING HANDLING

§ 988.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR, Part 900), a public hearing was held upon a proposed marketing agreement and certain proposed amendments to the order regulating the handling of milk in the Knoxville, Tennessee, marketing area. Upon the basis of

the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act.

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is hereby found and determined that good cause exists for making this order, amending the order effective November 1, 1951. Such action is necessary in the public interest in order to reflect current marketing conditions and to promote the orderly marketing of milk in the Knoxville, Tennessee, marketing area. Any further delay in the effective date of this order amending the order will seriously threaten the orderly marketing of milk in the said marketing area. The provisions of the said order are well known to handlers, the public hearing having been held September 27 and 28, 1951, the decision having been executed by the Secretary October 15, 1951. Therefore, reasonable time under the circumstances has been afforded persons affected to prepare for its effective date and it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER. (See sec. 4 (c), Administrative Procedure Act, Pub. Law 404, 79th Cong., 60 Stat. 237.)

(c) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing or shipping milk covered by this order amending the order) of more than 50 percent of the volume of the milk covered by this order amending the order which is marketed within the said marketing area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area, and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order amending the order is the only practical means, pursuant to the declared policy of the act of advancing the interests of producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order amending the order is approved or favored by at least two-thirds of the producers who, during the determined representative period (July 1951) were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof the handling of milk in the Knoxville, Tennessee, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, and the aforesaid order, as amended, is hereby further amended as follows:

(1) Delete the words preceding the proviso in § 988.51 (a) and substitute the following:

(a) *Class I milk.* The price for Class I milk shall be the basic formula price for the immediately preceding delivery period plus a differential of $1.50 per hundredweight, except from the effective date of this amendment through March 31, 1952 such differential shall be $1.94.

* * *

(2) In § 988.52 (a) delete the words "delivery period" and substitute "immediately preceding delivery period."

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Issued at Washington, D. C., this 23d day of October 1951, to be effective on and after the 1st day of November 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-12928; Filed, Oct. 26, 1951; 8:55 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

PART 176—DOCUMENTARY REQUIREMENTS FOR ALIENS, EXCEPT SEAMEN AND AIRMEN, ENTERING THE UNITED STATES

WAIVER OF PASSPORT AND VISA REQUIREMENTS

EDITORIAL NOTE: For an amendment to § 176.107, which is identical in text to 22 CFR 42.107, see F. R. Doc. 51-12884 under Title 22, *infra*.

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 52848]

PART 1—CUSTOMS DISTRICTS AND PORTS

DESIGNATION OF THE COMMERCIAL PORT OF GUAM AS A PORT OF DOCUMENTATION

Effective November 1, 1951, footnote 4, § 1.1 (c), Customs Regulations of 1943 (19 CFR 1.1 (c)), as amended, is further amended by inserting the following sentence at the end thereof: "Marine documents may also be issued at The Commercial Port of Guam, a port of documentation in Guam, under the supervision of the collector of customs at Honolulu, Territory of Hawaii."

(R. S. 161, sec. 2, 3, 23 Stat. 118, 119, sec. 1, 43 Stat. 947; 5 U. S. C. 22, 46 U. S. C. 2, 3, 18)

The basis of the amendment is section 1 of the act of February 16, 1925 (46 U. S. C. 18). Its purpose is to provide a necessary service to the owners of vessels in the port and in its vicinity because of the extreme remoteness of Guam from any United States port of entry and its economic dependence upon shipping. Since the action thus taken will result in relieving restrictions or confer a benefit on the owners of vessels operated in the area of the designated port and since it has been made to appear to the satisfaction of the Commissioner of Customs that the need for immediate action is imperative, notice of this action and public procedure thereon are found to be impracticable, unnecessary, or contrary to the public interest within the meaning of section 4 of the Administrative Procedure Act (5 U. S. C. 1003).

[SEAL] DAVID B. STRUBINGER,
Acting Commissioner of Customs.

Approved: October 23, 1951.

JOHN S. GRAHAM,
Acting Secretary of the Treasury.

[F. R. Doc. 51-12996; Filed, Oct. 26, 1951; 8:56 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

[Dept. Reg. 108.142]

PART 42—VISAS: DOCUMENTATION OF ALIENS ENTERING THE UNITED STATES

PART 53—CONTROL OF PERSONS ENTERING AND LEAVING THE UNITED STATES IN WARTIME

WAIVER OF PASSPORT AND VISA REQUIREMENTS

OCTOBER 19, 1951.

The following amendments to Part 53 and Part 42, Chapter I, Title 22, Code of Federal Regulations, are hereby prescribed:

1. Section 53.22 *Passports and permits to enter required,* is amended to read as follows:

§ 53.22 *Passports and permits to enter required.* Except as otherwise provided in this chapter, no alien shall enter the United States unless, in applying at a port of entry for admission into the United States, he presents an unexpired passport and a valid permit to enter.

2. Section 42.107 *Nonimmigrants not required to present passports or visas,* is amended by the addition of the following paragraph at the end thereof:

(dd) An alien who is a member of any of the armed services of a foreign country which is a party to the North Atlantic Treaty signed in Washington, D. C. on April 4, 1949, who is proceeding to, or in transit through, the United States temporarily in connection with his official duties, and who is in possession of (1) a personal identity card issued by the country of whose armed services he is a member, showing his name, date of birth, rank and number (if any), service and photograph, and (2) an individual or collective movement order issued by an appropriate agency of the country of

whose armed services he is a member or by an appropriate agency of the North Atlantic Treaty Organization, and certifying to the status of the individual or group and to the movement ordered.

(Sec. 30, 54 Stat. 673, 8 U. S. C. 451; E. O. 8766 of June 3, 1941, 3 CFR, 1941 Supp.)

(Sec. 24, 43 Stat. 166, sec. 37, 54 Stat. 675; 8 U. S. C. 222, 458)

Dated: October 4, 1951.

[SEAL] DEAN ACHESON,
Secretary of State.

Recommended, so far as the provisions of the Immigration Act of 1924 and the Alien Registration Act, 1940, are concerned:

J. HOWARD MCGRATH,
Attorney General.

[F. R. Doc. 51-12884; Filed, Oct. 26, 1951; 8:47 a. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 694—MINIMUM WAGE RATES IN THE INDUSTRIES IN THE VIRGIN ISLANDS

MINIMUM WAGE ORDER

Pursuant to the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. 1001), notice was published in the FEDERAL REGISTER on September 29, 1951 (16 F. R. 9999-10001), of my decision to approve the minimum wage recommendations of the special industry committee for industries in the Virgin Islands, and the revised wage order for those industries which I proposed to issue to carry such recommendations into effect was published therewith. Interested parties were given an opportunity to submit exceptions within 15 days from the date of publication of the notice.

No exceptions have been received within the 15-day period.

Accordingly, pursuant to authority under the Fair Labor Standards Act of 1938, as amended (52 Stat. 1060, as amended; 29 U. S. C. 201), the said decision is hereby affirmed and made final, and the wage order contained in this part is hereby revised to read as set forth in the September 29, 1951, issue of the FEDERAL REGISTER (16 F. R. 9999-10001), and as set forth below, to become effective November 26, 1951.

Sec.
694.1 Approval of Committee's recommendations.
694.2 Wage rates.
694.3 Notices of order.
694.4 Definitions of industries in the Virgin Islands.

AUTHORITY: §§ 694.1 to 694.4 issued under 52 Stat. 1060, as amended; 29 U. S. C. 201.

§ 694.1 *Approval of Committee's recommendations.* The Committee's recommendations for the industries in the Virgin Islands are hereby approved.

§ 694.2 *Wage rates*—(a) *Alcoholic beverages and industrial alcoholic industry.* Wages at not less than the following rates per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the alcoholic beverages and industrial alcohol industry in the Virgin Islands who is engaged in commerce or in the production of goods for commerce:

(1) For operations performed in the manufacture of rum on the Island of St. Croix, wages at a rate of not less than 40 cents per hour.

(2) For all operations other than those in the manufacture of rum on the Island of St. Croix, wages at a rate of not less than 45 cents per hour.

(b) *Bay rum and other toilet preparations industry.* Wages at a rate of not less than 40 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the bay rum and other toilet preparations industry in the Virgin Islands who is engaged in commerce or in the production of goods for commerce.

(c) *Shipping and transportation industry.* (1) Wages at a rate of not less than 45 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the general division of the shipping and transportation industry in the Virgin Islands who is engaged in commerce or in the production of goods for commerce.

(2) Wages at a rate of not less than 35 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the wind driven vessel division of the shipping and transportation industry in the Virgin Islands who is engaged in commerce or in the production of goods for commerce.

(d) *Wholesaling and trucking industry.* Wages at a rate of not less than 45 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the Wholesaling and trucking industry in the Virgin Islands who is engaged in commerce or in the production of goods for commerce.

(e) *Banking, insurance, and real estate industry.* Wages at a rate of not less than 50 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the banking, insurance, and real estate industry in the Virgin Islands who is engaged in commerce or in the production of goods for commerce.

(f) *Communications and other public utilities industry.* Wages at a rate of not less than 45 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the communications and other public utilities industry in the Virgin Islands who is engaged in commerce or in the production of goods for commerce.

(g) *Construction industry.* Wages at a rate of not less than 45 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the construction industry in the Virgin Islands who is engaged in commerce or in the production of goods for commerce.

(h) *Wearing apparel industry.* Wages at a rate of not less than 50 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the wearing apparel industry in the Virgin Islands, who is engaged in commerce or in the production of goods for commerce.

(i) *Fruit and vegetable packing and farm products assembling industry.* Wages at a rate of not less than 30 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the fruit and vegetable packing and farm products assembling industry in the Virgin Islands who is engaged in commerce or in the production of goods for commerce.

(j) *Doll industry.* Wages at a rate of not less than 45 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the doll industry in the Virgin Islands who is engaged in commerce or in the production of goods for commerce.

(k) *Ship and boat building and equipment industry.* Wages at a rate of not less than 50 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the ship and boat building and equipment industry in the Virgin Islands who is engaged in commerce or in the production of goods for commerce.

(l) *Hand-made art linen industry.* Wages at not less than the following rates per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the hand-made art linen industry in the Virgin Islands who is engaged in commerce or in the production of goods for commerce.

(1) For hand-sewing operations, wages at a rate of not less than 20 cents per hour.

(2) For all operations other than hand-sewing, wages at a rate of not less than 35 cents per hour.

(m) *Hand-made straw goods industry.* Wages at not less than the following rates per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the hand-made straw goods industry in the Virgin Islands who is engaged in commerce or in the production of goods for commerce:

(1) For hand-weaving and hand-sewing operations, wages at a rate of not less than 15 cents per hour.

(2) For all operations other than hand-weaving and hand-sewing, wages at a rate of not less than 35 cents per hour.

(n) *Meat packing industry.* Wages at a rate of not less than 37 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as

amended, by every employer to each of his employees in the meat packing industry in the Virgin Islands who is engaged in commerce or in the production of goods for commerce.

(o) *Pearl button industry.* Wages at a rate of not less than 45 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the pearl button industry in the Virgin Islands who is engaged in commerce or in the production of goods for commerce.

(p) *Miscellaneous industries.* Wages at a rate of not less than 40 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the miscellaneous industries in the Virgin Islands who is engaged in commerce or in the production of goods for commerce.

§ 694.3 *Notices of order.* Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the industries in the Virgin Islands shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor, and shall give such other notice as the Division may prescribe.

§ 694.4 *Definitions of industries in the Virgin Islands.* The industries in the Virgin Islands to which this wage order shall apply are hereby defined as follows:

(a) *Alcoholic beverages and industrial alcohol industry.* This industry shall include the manufacture, including, but not by way of limitation, the distilling, rectifying, blending or bottling of rum, gin, whiskey, brandy, liqueurs, cordials, wine, beer, and other alcoholic beverages, and of industrial and other types of alcohol.

(b) *Bay rum and other toilet preparations industry.* This industry shall include the manufacture (including bottling and packaging) of bay oil, bay rum, perfumes, colognes, toilet waters, and other similar toilet preparations.

(c) *Shipping and transportation industry.* (1) This industry shall include the transportation of passengers and cargo by water or by air, and all activities in connection therewith, including, but not by way of limitation, the operations of common or contract carriers, the operation of piers, wharves and docks, including bunkering, stevedoring, storage, and lighterage operations, and the operation of tourist bureaus, and travel and ticket agencies.

(2) The separable divisions of the shipping and transportation industry are defined as follows:

(i) *General division.* This division shall include all activities in the shipping and transportation industry other than those included within the wind-driven vessel division.

(ii) *Wind-driven vessel division.* This division shall include the transportation of cargo and passengers by vessels driven entirely by wind and having no auxiliary propulsion motors.

(d) *Wholesaling and trucking industry.* This industry shall include the wholesaling, warehousing, and other distribution of commodities, including, but not by way of limitation, the activities of importers, exporters, wholesalers, public warehouses, and brokers and agents (except realty and financial), including mail order sales agencies and manufacturers' selling agencies; and the industry carried on by any common or contract carrier engaged in the transportation of property by motor vehicle.

(e) *Banking, insurance and real estate industry.* This industry shall include the business carried on by any banking, insurance, financial, or real estate institution, agency, or enterprise.

(f) *Communications and other public utilities industry.* This industry shall include the activities carried on by any wire or radio system of communication or by any messenger service; by any concern engaged in the production or distribution of electricity; by any concern engaged in the distribution of water or the operation of sanitation facilities; and by any concern engaged in other public utility operations.

(g) *Construction industry.* The industry shall include the designing, construction, reconstruction, alteration, repair, and maintenance of buildings, structures, and other improvements, including, but not by way of limitation, factories, highways, bridges, sewers and water mains, irrigation canals and pipe lines, harbors, and airfields; the assembling at the construction site and the installation of machinery and other facilities in or upon such buildings, structures, and improvements; and the dismantling, wrecking or other demolition of such improvements and facilities: *Provided, however,* That this industry shall not include construction carried on by persons, for their own use or occupancy, who are principally engaged in another industry.

(h) *Wearing apparel industry.* This industry shall include the manufacture of all wearing apparel except that made entirely by hand.

(i) *Fruit and vegetable packing and farm products assembling industry.* This industry shall include the assembling and preparing for market of fresh fruits and vegetables and other related products.

(j) *Doll industry.* This industry shall include the manufacture of machine-sewn doll's clothing, and the preparation, assembling, and finishing of dolls with such clothing.

(k) *Ship and boat building and equipment industry.* This industry shall include the building, repairing, and maintenance of ships and boats, and manufacture and repairing of sails, rope, fenders, and other marine equipment.

(l) *Hand-made art linen industry.* This industry shall include the manufacture from any woven material of hand-made handkerchiefs and hand-made household art linens, including, but not by way of limitation, table cloths, napkins, bridge sets, luncheon cloths, table covers, and towels.

(m) *Hand-made straw goods industry.* This industry shall include the manufacture by hand from straw, raffia, sisal, or similar materials, of hats, baskets, purses, mats, trays, bottle coverings, or other articles.

(n) *Meat packing industry.* This industry shall include the slaughtering of meat animals and the dressing and packing of meat, and all operations incidental thereto.

(o) *Pearl button industry.* This industry shall include the manufacture of buttons and buckles from ocean pearl and other natural shells.

(p) *Miscellaneous industries.* These industries shall include the manufacture of ice, sugar, jams and jellies, cocoa butter, and flavoring extracts; printing or publishing; the manufacture, processing or assembling of jewelry; and the manufacture of furniture, wooden ware and wooden novelties; and all other industries not included in other specific industries defined in this part.

Signed at Washington, D. C., this 23d day of October 1951.

WM. R. MCCOMB,
Administrator,
Wage and Hour Division.

[F. R. Doc. 51-12914; Filed, Oct. 26, 1951; 8:53 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 9, Amdt. 4]

CPR 9—TERRITORIES AND POSSESSIONS

MISCELLANEOUS AMENDMENTS

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82nd Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stablization Agency General Order No. 2 (16 F. R. 738), this Amendment 4 to Ceiling Price Regulation 9 is hereby issued.

STATEMENT OF CONSIDERATIONS

Section 6 of Ceiling Price Regulation 9 requires new sellers or sellers of new commodities to apply to the Director of Price Stabilization for the establishment of ceiling prices on such commodities. Individual applications for ceiling prices under section 6 have, on occasion, requested the approval of as many as one thousand items. The processing of such applications under section 6, in addition to requiring an inordinate amount of time of the personnel in the regional and territorial offices, imposes an undue burden on the seller by preventing him from making any sales until a letter order is received establishing ceiling prices. This amendment will provide that the seller may sell at his proposed ceiling prices 15 days after receipt by him of an acknowledgement of his application if he has not, within that time, received notice from the Office of Price Stabilization that he may not charge the proposed ceiling prices. Such a procedure will enable the regional and territorial offices to

check such applications for general "inlineness", prevent selling at requested prices until further examination where the proposed ceiling prices do not appear to be in line, and to revise prices if, subsequent to the fifteen day period, this seems warranted. Because of the nature of this action, the Director of Price Stabilization has not found it practicable to consult with industry but has taken into consideration the recommendations of numerous sellers in the territories.

Ceiling Price Regulation 9 establishes ceiling prices on certain commodities on the basis of the direct cost of the commodity, as defined in the regulation, plus the base period dollar and cent or percentage markup. To avoid those situations where a seller would otherwise have had more than one ceiling price on stock of the same commodity received from different suppliers at differing invoice prices, Ceiling Price Regulation 9 was amended to provide, through section 8b, for the use of a single ceiling price at a given time. This was accomplished by authorizing the seller to determine his ceiling price through either the use of the lowest invoice cost as a basis for the computation of a ceiling price, for the entire inventory, or the use of the first in-first out method of computing ceiling prices, as defined in the regulation.

The problem was resolved under the Office of Price Administration regulations applicable in Hawaii by authorizing sellers to use a weighted average figure for determining the ceiling price for the entire inventory. Hawaiian sellers found this method eminently satisfactory, and desire its continuance. Since this pricing technique accomplishes the desired objective, and its use is preferred by some of the territorial sellers to the two other alternatives posed, this amendment authorizes the utilization of such technique and provides that the seller must elect one of the three methods. Having elected the method he will use, he may change to another method only with the approval, in writing, of the Territorial Director.

AMENDATORY PROVISIONS

1. Section 6 of Ceiling Price Regulation 9 is amended to read:

SEC. 6. *Sellers who cannot price under other sections.* If you claim that you are unable to determine your ceiling price for a commodity under any of the foregoing provisions of this regulation, you may apply in writing to the territorial director for the territory in which the sale is to be made for the establishment of a ceiling price. This application shall contain an explanation of why you are unable to determine your ceiling price under any other provision of this regulation; a description of the commodity and the nature of your business; your proposed ceiling price and the method used by you to determine it. If you do not receive notice that you may not charge the ceiling prices proposed in your application within 15 days after you have received an acknowledgment by the Office of Price Stabilization of receipt of your application, you may sell the commodity at the proposed ceiling price.

2. Section 8b is changed to read:

SEC. 8b. *Single ceiling prices for different cost inventories.* Where you have purchased a commodity under separate invoices at different prices and have in your inventory identical items at different costs, your ceiling price for your entire inventory of identical items must be determined by one of the following methods. "Identical items" as used in this section includes items of a commodity which differ only in size, color or finish and which normally sell at the same price and are generally regarded in the trade as identical. You must elect which of the three methods you will follow, and once having made that election you may not change to another method until you are authorized in writing to do so by the Territorial Director.

(a) *Lowest direct cost.* Your ceiling price must be computed on the basis of the lowest direct cost.

(b) *First in—first out method.* You must compute the ceiling price for the number of identical items in your inventory listed in the first invoice received on the basis of that invoice cost and then compute the ceiling price for the number of identical items corresponding to the number of identical items received under the next succeeding invoice, and so on in chronological order.

(c) *Weighted average.* You must compute your ceiling prices on the basis of your weighted average direct cost calculated as follows: (1) Multiply each different direct cost by the number of identical units in your inventory having such direct cost. Add the products of the multiplication and divide this sum by the total number of identical items in the inventory. The quotient of this division is the weighted average direct cost. The weighted average direct cost as determined in the next preceding calculation must be used as the direct cost of all identical items in your inventory in recomputing weighted average direct cost.

(2) Whenever your direct costs increase or when your inventory is exhausted, you may recompute your ceiling price: When you receive a shipment at a lower cost than the shipment immediately preceding it, you must recompute your ceiling price.

3. Section 15 is amended by adding the following at the end of the section:

Identical Items. This term is defined in section 8b of this regulation.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 4 to Ceiling Price Regulation 9 is effective October 30, 1951.

NOTE: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

OCTOBER 25, 1951.

[F. R. Doc. 51-13039; Filed, Oct. 25, 1951; 2:29 p. m.]

[Ceiling Price Regulation 81, Amendment 1]

CPR 81—CEILING PRICES FOR FROZEN VEGETABLES OF THE 1951 PACK

EXTENDING DATE FOR CALCULATING CEILING PRICES AND MISCELLANEOUS CHANGES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization General Order No. 2 (16 F. R. 738), this Amendment 1 to Ceiling Price Regulation 81 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Ceiling Price Regulation 81 extends the mandatory effective date of that regulation from October 25, 1951, to November 15, 1951. The regulation is further amended to provide for the computing of delivered ceiling prices by means of transportation standards, and to enable base distributors to calculate ceiling prices for items not sold during the base period. A similar amendment to Ceiling Price Regulation 82, the frozen fruit and berry regulation, is being issued simultaneously.

Many sellers of frozen fruits, berries, and vegetables also engage in the processing of canned foods. Both the canned vegetable regulation, CPR 55, and the canned fruit and berry regulation, CPR 56, have been amended so as to require extensive calculations and recalculations of ceiling prices during the same period of time that calculation of ceiling prices under CPR 81 and 82 is required. For many sellers with a large number of canned and frozen items, the present mandatory effective date of CPR 81 and 82 thus imposes a heavy burden. Sellers who could not calculate ceiling prices by October 25, 1951, would be forced to withhold their goods from sale and distribution. In order not to disrupt this normal flow of goods into commerce this amendment extends the mandatory effective date of CPR 81 to November 15, 1951. This will provide sufficient time for all sellers to calculate their ceiling prices.

In recent years, there has been a significant trend in the frozen food industry resulting in many changes in the sizes of retail cartons. The regulation provides a method by which processors who did not sell an item during the base period may price if they sold an item differing only in retail carton size during the base period. This method cannot be used by base distributors since they have no raw material costs and no alternate method is provided. This amendment revises section 5 by providing a special method by which base distributors may price items not sold during the base period. This method is similar to that employed in the revised section 4 of CFR 55. The base distributor calculates his ceiling for the new item by determining the relationship that existed between such item and a comparison item as quoted in his written opening price list for 1950. If both items do not appear in the 1950 price list, the base distributor uses his 1949 or his 1948 price list. If this method cannot be used, the base distributor then borrows his ceiling under section 6.

This amendment also revises section 11 (a) (2) to conform the treatment of average transportation charges for two or more factories with the treatment afforded in section 11 (a) (1) for one factory.

Before issuing this amendment, the Office of Price Stabilization has consulted with individual members of the industry and the changes effected by this amendment are largely the result of their suggestions. In the judgment of the Director of Price Stabilization the provisions of this amendment are generally fair and equitable and necessary to effectuate the purposes of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Ceiling Price Regulation 81 is amended in the following respects:

1. Section 5 is amended so as to read:

SEC. 5. *Ceiling prices for products in new retail carton sizes.*—(a) *Processors.* If you sold the same product during the base period in an item or items which differed from the item being priced only in size of retail carton, and if the size of such carton used during the base period was not more than 50 percent larger or smaller than the item now being priced, you calculate your ceiling price for the new item, as follows:

(1) Determine your raw material cost per unit of sale for the item sold during the base period (whether or not currently packed).

(2) Divide this raw material cost by the label weight of the item sold during the base period.

(3) Multiply this result by the label weight of the item you are pricing.

(4) Subtract the raw material cost from the base price per unit of sale of the item sold during the base period.

(5) Add the result in subparagraph (4) of this paragraph to that secured in subparagraph (3) of this paragraph. This result is your base price for the new item. You shall then calculate your ceiling price for the item in accordance with section 2 of this regulation.

(b) *Base distributors.* If you sold the same product during the base period in an item or items which differed only in size of retail carton, and if the size of such carton used during the base period was not more than 50 percent larger or smaller than the item now being priced, you calculate your ceiling price for the new item by determining the relationship between the opening prices for the new item and for a "comparison item" as quoted in your "price list". Your "price list" means your first written opening price list from among your lists for 1950, 1949, or 1948 (in that order) on which the comparison and the item being priced both appear.

(1) You shall select as a "comparison" item from your price list, that item differing only in container size which is nearest in container size to the item being priced and for which you have calculated a ceiling price under section 3 of this regulation.

(2) Divide the price on your price list for the item being priced by the price on your price list for the comparison item.

(3) Multiply your ceiling price for the comparison item by the quotient obtained in subparagraph (2) of this paragraph. The result is your ceiling price for the item being priced.

2. Section 11 (a) (2) is amended by changing the last sentence thereof so as to read: "Your uniform delivered ceiling price for the item shall be the weighted average of the delivered ceiling prices, as figured in subparagraph (1) of this paragraph, for the item computed on the basis of the proportion of production of the item in each of your respective factories in 1950, or you may add to your uniform f. o. b. factory price an average transportation charge, figured on the same basis as you figured such charge during 1950, but at current transportation rates."

3. The effective date provision following section 26 is amended by deleting the date "October 25, 1951" wherever it appears and substituting therefor the date "November 15, 1951."

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective October 25, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

OCTOBER 25, 1951.

[F. R. Doc. 51-13040; Filed, Oct. 25, 1951; 2:29 p. m.]

[Ceiling Price Regulation 82, Amendment 1]

CPR 82—CEILING PRICE FOR FROZEN FRUITS AND BERRIES OF THE 1951 PACK

EXTENDING DATE FOR CALCULATING CEILING PRICES AND MISCELLANEOUS CHANGES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization General Order No. 2 (16 F. R. 738), this Amendment 1 to Ceiling Price Regulation 82 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Ceiling Price Regulation 82 extends the mandatory effective date of that regulation from October 25, 1951, to November 15, 1951. The regulation is further amended to provide for the computing of delivered ceiling prices by means of transportation standards, and to enable base distributors to calculate ceiling prices for items not sold during the base period. A similar amendment to Ceiling Price Regulation 81, the frozen vegetable regulation, is being issued simultaneously.

Many sellers of frozen fruits, berries, and vegetables also engage in the processing of canned foods. Both the canned vegetable regulation, CPR 55, and the canned fruit and berry regulation, CPR 56, have been amended so as to require extensive calculations and recalculations of ceiling prices during the same period of time that calculation of ceiling prices under CPR 81 and 82 is required. For many sellers with a large number of canned and frozen items, the present mandatory effective date of CPR 81 and 82 thus imposes a heavy burden. Sellers who could not calculate ceiling prices by October 25, 1951, would be forced to withhold their goods from sale and distribution. In order not to disrupt this normal flow of goods into commerce this amendment extends the mandatory effective date of CPR 82 to November 15, 1951. This will provide sufficient time for all sellers to calculate their ceiling prices.

In recent years, there has been a significant trend in the frozen food industry resulting in many changes in the sizes of retail cartons. The regulation provides a method by which processors who did not sell an item during the base period may price if they sold an item differing only in retail carton size during the base period. This method cannot be used by base distributors since they have no raw material costs and no alternate method is provided. This amendment revises section 5 by providing a special method by which base distributors may price items not sold during the base period. This method is similar to that employed in the revised section 4 of CPR 55. The base distributor calculates his ceiling for the new item by determining the relationship that existed between such item and a comparison item as quoted in his written opening price list for 1950. If both items do not appear in the 1950 price list, the base distributor uses his 1949 or his 1948 price list. If this method cannot be used, the base distributor then borrows his ceiling under section 6.

This amendment also revises section 11 (a) (2) to conform the treatment of average transportation charges for two or more factories with the treatment afforded in section 11 (a) (1) for one factory.

Before issuing this amendment, the Office of Price Stabilization consulted with individual members of the industry and the changes effected by this amendment are largely the result of their suggestions. In the judgment of the Director of Price Stabilization the provisions of this amendment are generally fair and equitable and necessary to effectuate the purposes of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Ceiling Price Regulation 82 is amended in the following respects:

1. Section 5 is amended so as to read:

SEC. 5. *Ceiling prices for products in new retail carton sizes.* (a) *Processors.* If you sold the same product during the base period in an item or items which differed from the item being priced only in size of retail carton, and if the size of such carton used during the base period was not more than 50 per cent larger or smaller than the item now being priced, you calculate your ceiling price for the new item, as follows:

(1) Determine your raw material cost per unit of sale for the item sold during the base period (whether or not currently packed).

(2) Divide this raw material cost by the label weight of the item sold during the base period.

(3) Multiply this result by the label weight of the item you are pricing.

(4) Subtract the raw material cost from the base price per unit of sale of the item sold during the base period.

(5) Add the result in subparagraph (4) of this paragraph to that secured in subparagraph (3) of this paragraph. This result is your base price for the new item. You shall then calculate your ceiling price for the item in accordance with section 2 of this regulation.

(b) *Base distributors.* If you sold the same product during the base period in an item or items which differed only in size of retail carton, and if the size of such carton used during the base period was not more than 50 per cent larger or smaller than the item now being priced, you calculate your ceiling price for the new item by determining the relationship between the opening prices for the new item and for a "comparison item" as quoted in your "price list". Your "price list" means your first written opening price list from among your lists for 1950, 1949, or 1948, (in that order) on which the comparison and the item being priced both appear.

(1) You shall select as a "comparison" items from your price list, that item differing only in container size which is nearest in container size to the item being priced and for which you have calculated a ceiling price under section 3 of this regulation.

(2) Divide the price on your price list for the item being priced by the price on your price list for the comparison item.

(3) Multiply your ceiling price for the comparison item by the quotient obtained in subparagraph (2) of this paragraph. The result is your ceiling price for the item being priced.

2. Section 11 (a) (2) is amended by changing the last sentence thereof so as to read: "Your uniform delivered ceiling price for the item shall be the weighted average of the delivered ceiling prices, as figured in subparagraph (1) of this paragraph, for the item computed on the basis of the proportion of production of the item in each of your respective factories in 1950, or you may add to your uniform f. o. b. factory price an average transportation charge, figured on the same basis as you figured such charge during 1950, but at current transportation rates."

3. The effective date provision following section 26 is amended by deleting the date "October 25, 1951" wherever it apears and substituting therefor the date "November 15, 1951".

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective October 25, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

OCTOBER 25, 1951.

[F. R. Doc. 51-13041; Filed, Oct. 25, 1951; 2:29 p. m.]

[Ceiling Price Regulation 55, Supplementary Regulation 4]

CPR 55—CEILING PRICES FOR CERTAIN PROCESSED VEGETABLES OF THE 1951 PACK

SR 4—ADJUSTABLE PRICING FOR CERTAIN CANNED TOMATO PRODUCTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738) this Supplementary Regulation 4 to Ceiling Price Regulation 55 in hereby issued.

STATEMENT OF CONSIDERATIONS

The tomato canning industry has represented to the Office of Price Stabilization that ceiling prices for canned catsup, canned tomato puree, canned tomato sauce (including hot sauce) and canned tomato paste calculated under Ceiling Price Regulation 55 are significantly distorted for many processors. The formula pricing technique employed in CPR 55 requires the establishment of a representative price, the base price, for the item in 1948. To find his ceiling price, the processor adjusts his base price for raw material costs and other direct costs. This mechanical technique may have resulted in some inequities. For many reasons, individual processors may have had base prices or raw material costs in 1948 significantly higher or lower than those for the industry as a whole. Consequently, although the ceiling prices established under CPR 55 meet the standards of the Defense Production Act, as amended, for the tomato canning industry as a whole, some individual canners may have ceiling prices which are significantly distorted from their normal relationship with prices for the industry as a whole. Incomplete data received since the issuance of Amendment 5 to CPR 55 which added these products to the coverage of CPR 55 indicate that this situation may exist. No reliable determination can be made, however without the receipt and analysis of a great amount of detailed data.

The processing of these products is now at a seasonal peak. There is every indication that the current pack will be the largest in history. It has been represented that a serious shortage of warehouse space and the exigencies of short term financing make it necessary for processors to move their production into normal channels of distribution immediately. The industry has stated that the adjustable pricing provision, section 22 of CPR 55, does not provide an adequate remedy pending the submission and analysis of the necessary data.

Accordingly, this supplementary regulation provides a pricing method which permits prompt shipment and payment pending the determination of the industry's representation. Under this temporary pricing method, a processor may sell at any price agreed upon in writing by himself and his buyer. However, the processor must agree with his buyer that the final sales price will be either the contract price or the subsequent ceiling price, whichever is lower. Also, the processor must agree to refund to his buyer the difference between the two prices, if the subsequent ceiling price is the lower, and if payment has been made. Of course, a processor may continue to sell at or below the ceiling prices established by CPR 55 without reference to this supplementary regulation.

This temporary pricing method is available to processors only for the period of time estimated to be necessary to receive and analyze the data and is automatically revoked at the end of that period. It is also automatically revoked as to a particular product on the effective date of any subsequent supplementary regulation or amendment covering the particular product. If the data so warrant, a supplementary regulation will then be issued for these products to provide an appropriate adjustment.

This supplementary regulation is issued to meet an emergency problem. Prior to its issuance, the Director of Price Stabilization has consulted with members of the industry and has given consideration to their recommendations. In the judgment of the Director, the provisions of this supplementary regulation are generally fair and equitable and are necessary to effectuate the purposes of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.
1. Coverage of this supplementary regulation.
2. Adjustable pricing.
3. Sales under Ceiling Price Regulation 55.
4. Automatic Revocation.

AUTHORITY: Sections 1 to 4 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended, 50 U. S. C. App. Sup., 2101–2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *Coverage of this supplementary regulation.* This supplementary regulation applies to all sales by processors of canned catsup (excluding bottled catsup), canned tomato puree, canned tomato sauce (including hot sauce), and canned tomato paste which are covered by Ceiling Price Regulation 55.

SEC. 2. *Adjustable pricing.* A processor of the products listed in section 1 of this supplementary regulation may offer to sell, or sell and deliver, and may receive payment for sales and deliveries of items of such products at any contract price (agreed upon in writing between the processor and his buyer). However, the processor shall further agree in writing with his buyer that the final price for any sale or delivery of an item under this supplementary regulation shall be the contract price or the ceiling price first effective after the revocation of this supplementary regulation for the item under any applicable ceiling price regulation now in effect or hereafter issued establishing ceiling prices for the 1951 pack of such item, whichever is the lower. The processor shall further agree in writing with his buyer to refund promptly to the buyer the difference between the contract price for the item and any lower ceiling price for the item for which payment has been received by the processor.

SEC. 3. *Sales under Ceiling Price Regulation 55.* Processors may continue to sell items of the products listed in section 1 of this supplementary regulation at or below the ceiling prices established under CPR 55 without reference to the provisions of this supplementary regulation.

SEC. 4. *Automatic revocation.* This supplementary regulation shall be automatically revoked with respect to a particular product listed in section 1 of this supplementary regulation on the effective date of any supplementary regulation or amendment hereafter issued covering the particular product. In any event, this supplementary regulation shall be automatically revoked on November 14, 1951.

All provisions of Ceiling Price Regulation 55 not inconsistent with this supplementary regulation remain in full force and effect.

Effective date. This supplementary regulation shall become effective on October 26, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

OCTOBER 26, 1951.

[F. R. Doc. 51-13090; Filed, Oct. 26, 1951; 11:54 a. m.]

[Ceiling Price Regulation 55, Collation 1]

CPR 55—CEILING PRICES FOR CERTAIN PROCESSED VEGETABLES OF THE 1951 PACK

COLLATION 1—INCLUDING AMENDMENTS 1–5

Ceiling Price Regulation 55 is republished to incorporate the texts of Amendments 1 through 5, inclusive. Ceiling Price Regulation 55 was issued July 25, 1951 (16 F. R. 7318). Statements of Consideration for Ceiling Price Regulation 55 and for Amendments 1–5, inclusive, as previously published, are applicable to this republication. The effective dates of this regulation, and of the amendments, are shown in a note preceding the first section of the regulation.

REGULATORY PROVISIONS

Sec.
1. Coverage of this regulation.
2. Ceiling prices f. o. b. factory for sales by processors of items sold during the base period.
3. Ceiling prices for grower-processors, grower-owned cooperatives and other processors who purchase raw materials on an open-end contract.
4. Ceiling prices for processors who did not sell the item during the base period but who sold other items of the product during that period.
5. Ceiling prices for processor-wholesalers and for processor-retailers.
6. Ceiling prices for processors who are unable to figure their ceiling prices under sections 2, 3 or 4 of this regulation.
7. Individual authorization of ceiling prices.
8. Individual adjustment of processors' ceiling prices.
9. Uniform f. o. b. factory prices for factories in different pricing areas.
10. Delivered prices.
11. Uniform delivered pricing by zones or areas.
12. Payment of brokers.
13. Special packing expenses that may be reflected in ceiling prices.
14. Units of sale and fractions of a cent.
15. Maintenance of customary discounts, allowances and price differentials.
16. Export sales.
17. Storage.
18. Records which must be kept.
19. Reports which must be filed.
20. Sales slips and receipts.
21. Transfers of factory.
22. Adjustable pricing.
23. Treatment of excise taxes.
24. Compliance with this regulation.
25. Petitions for amendments, protests and interpretations.
26. Definitions.

AUTHORITY: Sections 1 to 26 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup., 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup., 2101–2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

DERIVATION: Sections 1–26 contained in Ceiling Price Regulation 55, July 25, 1951 (16 F. R. 7318), except as otherwise noted in brackets following text affected.

EFFECTIVE DATES: CPR 55. The effective date of this regulation is September 1, 1951, or such earlier date between July 31, 1951, and September 1, 1951, as you may select. If you select an earlier date, the regulation becomes effective as to you upon that date for all of your commodities covered by the regulation:

Amendment 1, August 3, 1951, 16 F. R. 7696.
Amendment 2, August 21, 1951, 16 F. R. 8451.
Amendment 3, August 23, 1951, 16 F. R. 8542.
Amendment 4, August 23, 1951, 16 F. R. 8586.
Amendment 5, October 5, 1951, 16 F. R. 10207.

[Effective date of regulation amended by Amdts. 1 and 3]

SECTION 1. *Coverage of this regulation*—(a) *What products and sellers are covered.* This regulation establishes a method for calculating ceiling prices for sales by processors of the 1951 and later packs of the following processed vegetables:

Products:
Canned lima beans.
Canned snap beans.
Canned beets.
Canned carrots.
Canned sweet corn.
Canned fresh field peas and fresh shell beans (all varieties).
Canned fresh green peas.
Canned tomatoes.
Canned tomato juice.

Other canned vegetable juices including mixtures of juices but excluding sauerkraut juice.
Canned succotash.
Canned mixtures of vegetables.
Bottled catsup.
Canned catsup.
Canned tomato puree.
Canned tomato paste.
Canned tomato sauce.
Other canned and bottled tomato products.
Other canned fresh vegetables, excluding rhubarb, sauerkraut, asparagus, fresh cucumber pickles, pumpkin and squash.

[List above amended by Amdts. 4 and 5]

Other vegetables may be added from time to time. This regulation does not apply to any listed vegetable that is packed and sold as "baby food", as "junior food", or as "soup". This regulation does apply to all sales of the specified processed vegetables packed by a "processor", as that term is defined in this regulation, and also applies to all sales by a processor of a product which he customarily processes, even though the sale be of items of the product which he has procured from the pack of another processor.

If, however, your gross sales of all items of processed fruits, berries, and vegetables were less than $40,000 during 1950, you may elect not to use this regulation, but if you so elect, sales of all such products remain under the General Ceiling Price Regulation (16 F. R. 808). If you elect not to determine your ceiling prices under this regulation, you shall so inform the Fruit and Vegetable Branch, Office of Price Stabilization, Washington 25, D. C., including with such notice a list of your General Ceiling Price Regulation ceiling prices for all items of fruits, berries, and vegetables processed by you.

[Paragraph above added by Amdt. 5]

(b) *Pricing provisions to be used.* The main pricing method for most processors is found in section 2 of this regulation. If, however, you are a grower-processor, a grower-owned cooperative, or if you purchase raw materials on open-end contracts, your ceiling prices are determined by sections 2 and 3 of this regulation. Section 4 of this regulation sets forth the method of computing your ceiling price for items not sold during the basic period. Section 5 provides pricing methods for processor-wholesalers and processor-retailers. Sections 6 and 7 of this regulation establish methods by which processors who cannot compute their ceiling prices under the other provisions of the regulation may obtain ceiling prices.

(c) *Where this regulation applies.* This regulation applies in the 48 states of the United States and the District of Columbia.

(d) *What this regulation supersedes.* For the products and sellers covered, this regulation supersedes the General Ceiling Price Regulation (16 F. R. 808), and also supersedes Ceiling Price Regulation 42 (16 F. R. 5112) for any product in that regulation which may be added to this regulation.

SEC. 2. *Ceiling prices f. o. b. factory for sales by processors of items sold during the base period.* You shall compute your ceiling prices for each factory at which you process an item covered by this regulation by first determining your "base price". Thereafter you shall adjust your "base price" by an adjustment for cost increases other than raw materials and by an adjustment for raw material cost increases.

(a) *How to determine your base price.* Your base price for each item is your weighted average sales price per dozen containers f. o. b. factory for such items

sold during the "base period" as defined in this regulation. "Weighted average sales price" is the total gross sales dollars charged f. o. b. factory for the item during the base period divided by the number of dozens of containers of that item sold.

(1) *What sales and sales contracts you include in your "weighted average sales price".* All sales and confirmed sales contracts at firm prices of the 1948 pack of the item made in the regular course of business during the base period shall be included, regardless of the date of delivery. If you desire, you may include in your computation of your weighted average sales price sales made during the base period of items from a prior pack. If you made no sales of an item of a product during the base period as defined in section 26, you shall use as a substitute base period for that item the first 60 days subsequent to the base period as defined in section 26. Sales contracts made at times other than during the base period shall not be included even though delivery was made during the base period. However, the following sales and sales contracts shall be excluded, even though made during the base period: Sales at retail (including sales to growers and employees) and at wholesale; sales to government procurement agencies, institutional, commercial and industrial users, state agencies and political sub-divisions thereof; and sales of damaged goods, or of goods packed for experimental purposes.

[Subparagraph (1) amended by Amdt. 5]

(2) *Separate base prices.* You shall figure a separate base price for each item.

(3) *Base price for factory group.* In determining your "base price", you may determine one "base price" for any group of factories, all of which are located in the same pricing area. In figuring a single base price for a group of factories, you shall include all of the sales within the "base period" for each factory to obtain the "weighted average sales price" defined in this section. You shall use only one "base period" for each group of factories. Such "base period" shall begin with the first day of pack of any item of the product being priced at the factory in such group having the earliest pack. The term "same pricing area" means that each factory must be located in the same area both for permitted increases other than raw material and for raw material permitted increases named in paragraphs (b) and (c) of this section.

[Subparagraph (3) amended by Amdt. 5]

(b) *How to adjust for permitted increases other than raw material.* After obtaining your base price for the item, you shall multiply it by the appropriate figure set forth in Table I for the area in which your factory is located.

TABLE I.—PERMITTED INCREASES OTHER THAN RAW MATERIAL

Product	Area		Adjustment factors
	No.	States included	
Canned fresh green peas	I	New England States, New York and Pennsylvania	1.09
	II	California, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Montana, Nebraska, Ohio, Oregon, Utah, Washington, Wisconsin, and Wyoming.	1.075
	III	All other States	1.12
Canned sweet corn	I	New England and New York	1.075
	II	All other States	1.065
Canned lima beans	I	California	1.055
	II	All other States	1.065
Canned beets	I	Texas	1.24
	II	All other States	1.11
Canned carrots	I	Texas	1.24
	II	All other States	1.11
Canned tomatoes	I	California, Colorado, Utah, and Florida	1.095
	II	New Jersey, Maryland, Delaware, Pennsylvania, Virginia, and West Virginia.	1.11
	III	Texas	1.17
	IV	All other States	1.08
Canned tomato juice	I	California, Colorado, Utah, and Florida	1.165
	II	New Jersey, Maryland, Delaware, Pennsylvania, Virginia, and West Virginia.	1.12
	III	Texas	1.17
	IV	All other States	1.09

TABLE I.—PERMITTED INCREASES OTHER THAN RAW MATERIAL—Continued

Product	Area		Adjustment factors
	Number	States included	
Canned vegetable juices (including mixtures but excluding tomato and sauerkraut juices).	I	Texas	1.11
	II	All other States	1.07
Canned succotash	I	All States	1.075
Other canned mixtures of vegetables [1]	I	do	1.10
Bottled catsup	I	California	1.04
	II	All other States	1.05
Canned catsup	I	California	1.06
	II	All other States	1.08
Canned tomato puree	I	Texas	1.55
	II	California	1.08
	III	All other States	1.10
Canned tomato paste (6 oz. and 7 oz. cans).	I	California	1.06
	II	All other States	1.075
Canned tomato paste (all other items)	I	California	1.04
	II	All other States	1.055
Canned tomato sauce	I	California	1.10
	II	All other States	1.13
Other canned and bottled tomato products.	I	All States	1.05
Canned snap beans	I	New England and New York	1.075
	II	Texas and Georgia	1.15
	III	Alabama, Arkansas, Florida, Louisiana, Mississippi, Missouri, Oklahoma, North Carolina, South Carolina, Tennessee, and Virginia.	1.12
	IV	All other States	1.065
Canned fresh field peas and fresh shell beans (all varieties).	I	Georgia	1.17
	II	Alabama, Arkansas, Florida, Louisiana, Mississippi, Missouri, Oklahoma North Carolina, South Carolina, Tennessee, Texas, and Virginia.	1.14
	III	All other States	1.10
Other canned vegetables (excluding sauerkraut, asparagus, rhubarb, pumpkin and squash, and fresh cucumber pickles).	I	Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Missouri, Oklahoma, North Carolina, South Carolina, Tennessee, Texas, and Virginia.	1.12
	II	All other States	1.075

[1] If you process an item which consists of a combination of two or more vegetables, you shall use the adjustment factor listed for "Other canned mixtures of vegetables" in table I only if the major vegetable constitutes less than 90 percent of the total volume of all vegetables used in the mixture. In other cases (i. e., when the major vegetable constitutes 90 percent or more of the total volume) you shall use the adjustment factor listed for that vegetable.

[Table I amended by Amdts. 4 and 5]

The resulting figure is your "adjusted base price".

(c) *How to figure the raw material adjustment.* Next, you shall determine your raw material adjustment in accordance with the procedure of this paragraph. If you have determined a base price for a group of factories under paragraph (a) (3) of this section, in making the raw material adjustments under this paragraph you shall figure your weighted average raw material costs per ton, or other unit of purchase on the basis of raw material costs for all of the factories included in the group.

(1) Determine the difference between your 1948 and your 1950 weighted average raw material cost per ton (or other unit of purchase) as defined in section 26 of this regulation. If you purchase raw material on a graded raw material basis, you shall calculate your increase or decrease by weighting both 1948 and 1950 purchases on the basis of the actual grades purchased in 1950.

(2) Determine the difference between your 1950 and, up to the date of the computation of your ceiling prices, your 1951 weighted average raw material cost per ton (or other unit of purchase), delivered or contracted to be delivered, at your factory. If you purchase raw material on a graded raw material basis, you shall calculate your increase or decrease by weighting 1951 purchases on the basis of the actual grades purchased in 1950. However, if the amount by which your 1951 costs exceeds your 1950 costs is greater than the appropriate maximum permitted raw material increase for the area in which your factory is located, both in terms of dollars-and-cents and in terms of a percentage of your 1950 weighted average raw material cost, as provided in Table II below, then

in the computation of the difference between 1950 and 1951 costs in making this determination use either of the increases provided in the table instead of your actual increase.

[Paragraph (c) amended by Amdts. 4 and 5]

TABLE II.—MAXIMUM PERMITTED INCREASE IN RAW MATERIAL COST FROM 1950 TO 1951

Raw material	Area	Maximum permitted increase in dollars per ton or other unit specified below	Maximum permitted increase in percentage of 1950 weighted average raw material cost
Fresh green peas (shelled basis).	New England States, New York, New Jersey, Pennsylvania, other than Southeastern (Franklin, Cumberland, Adams, York, Dauphin, Lebanon, Lancaster, Berks, Chester and Delaware Counties).	$16.10	18
	Southeastern Pennsylvania, counties in Maryland west of Chesapeake Bay and Susquehanna River, West Virginia.	20.70	25
	Delaware, counties in Maryland east of Chesapeake Bay and the Susquehanna River, Virginia.	19.10	25
	Ohio, Indiana, Michigan	19.60	26
	Wisconsin	19.10	23
	Iowa	14.40	16
	Minnesota	22.40	26
	Illinois	21.00	23
	Colorado	20.90	30
	California	16.90	22
	Utah, Southeastern Idaho (Lemhi, Butte, Blaine, Cassia Counties and all counties east thereof).	25.40	35
	Idaho, other than Southeastern, Eastern Washington (all counties east of but not including Okanogan, Chelan, Kittitas, Yakima and Klickitat Counties), Eastern Oregon (Wasco, Jefferson, Deschutes and Lake Counties and all counties east thereof).	24.60	33
	Western Washington, Western Oregon	25.00	29
	All other States	18.30	22
Snap Beans (including fresh shelled beans).	New England States	31.50	40
	New York	15.00	13
	New Jersey, Pennsylvania, Counties in Maryland west of Chesapeake Bay and Susquehanna River.	20.70	21
	Counties in Maryland east of Chesapeake Bay and Susquehanna River, Delaware, Virginia, except Southwestern (Craig, Roanoke, Franklin and Henry Counties and all counties west thereof), Eastern North Carolina (Rockingham, Guilford, Randolph, Montgomery and Richmond Counties and all counties west thereof).	16.00	18
	Florida	29.00	29
	South Carolina, Georgia, other than North (Fannin, Union, Towns, Rabun, Lumpkin, White and Habersham Counties), Alabama, Mississippi, and Louisiana.	27.40	34
	Arkansas, Oklahoma, Missouri, Tennessee, other than Eastern (Marion, Grundy, Warran, DeKalb, Putnam, Overton, and Clay Counties and all counties east thereof).	13.40	15
	Eastern Tennessee, Western North Carolina, Southwestern Virginia, North Georgia.	30.00	28
	Texas	13.00	16
	Wisconsin, Michigan, Ohio, Indiana, Illinois, Iowa, Minnesota.	16.00	14
	Colorado, Utah, New Mexico, Idaho	26.70	31
	Washington, Oregon	29.00	27
	California	23.00	23
	All other states	14.00	14
Fresh lima beans (shelled basis).	New York, New Jersey	29.00	20
	Pennsylvania	27.00	21
	Delaware, Maryland, Virginia	20.00	15
	Arkansas, Missouri, Oklahoma, Tennessee	19.00	14
	Wisconsin, Minnesota, Illinois	23.00	18
	Michigan, Indiana	15.00	12
	Ohio, Iowa	13.00	13
	Washington, Oregon, Idaho	27.00	18
	California	22.00	16
	All other states	22.00	16
Sweet corn (unhusked basis).	Maine, New Hampshire	10.40	54
	Vermont	7.20	38
	New York	4.30	21
	Pennsylvania, other than Southeastern (Franklin, Cumberland, Adams, York, Dauphin, Lebanon, Berks, Chester, and Delaware Counties).	6.40	29
	Southeastern Pennsylvania, counties in Maryland west of Chesapeake Bay and Susquehanna River.	$6.40	36
	Counties in Maryland east of Chesapeake Bay and Susquehanna River, Delaware, and Virginia.	6.40	41
	Indiana, Illinois, Iowa	5.90	34
	Michigan, Wisconsin, Minnesota, Ohio	6.00	38
	Nebraska	5.90	42
	Washington, Idaho, Utah	5.90	32
	Oregon	6.00	20
	All other States	4.80	21
Tomatoes	New England States, New York, Northern Pennsylvania (Erie, Crawford, Mercer, Venango, Forest, Warren, McKean, Potter, Tioga, Bradford, Wayne, and Susquehanna Counties).	8.60	35
	Pennsylvania other than Northern, counties in Maryland west of Chesapeake Bay and Susquehanna River.	6.40	22
	New Jersey, Delaware, counties in Maryland east of Chesapeake Bay and Susquehanna River, and Accomac and Northampton Counties in Virginia.	6.70	22
	Virginia, other than Accomac and Northampton Counties	5.20	17
	North Carolina, South Carolina, Georgia, Alabama, Florida, Mississippi, Louisiana	10.30	46
	Kentucky, Tennessee, Arkansas, Missouri, Oklahoma	4.20	15
	Ohio, Indiana, Michigan, Wisconsin, Illinois, Iowa	7.60	34
	Texas	15.20	01
	Colorado, Utah, New Mexico, Arizona, Kansas, Nebraska	8.20	40
	California	8.20	36
	All other states	5.70	23
Beets	New York, New Jersey, Pennsylvania	7.70	37
	Colorado, Michigan, Wisconsin, Minnesota, Iowa, Illinois, Indiana, Ohio	2.90	15
	Oregon, Washington, Idaho, Utah	4.70	21
	All other States	4.10	21
Spinach	Texas	2.10	4
	California	15.30	68
	Virginia, Maryland	12.40	15
	Arkansas, Oklahoma	3.00	4
	New Jersey	2.10	2
	All other States	10.60	21
Pimientos	All States	3.90	6
Irish potatoes	do		75
Sweetpotatoes	Louisiana (per bushel)	.51	
	Maryland, Delaware, New Jersey, Virginia, and North Carolina (per bushel).	.27	
	All other States (per bushel)	.31	
All other vegetables	All States		20

[Table II amended by Amdts. 4 and 5]

(3) You compute your weighted average raw material cost adjustment as follows:

(i) If both figures determined under subparagraphs (1) and (2) of this paragraph are plus figures, the total of the two is your upward average raw material adjustment.

(ii) If both figures determined under subparagraphs (1) and (2) of this paragraph are minus figures, the total of the two is the downward raw material adjustment by which you must reduce your price after completion of the computations in subparagraph (4) of this paragraph.

(iii) If one figure determined under subparagraphs (1) and (2) of this paragraph is a plus figure and the other a minus figure, reduce the larger of the two figures by the smaller. If the remainder is a plus amount, it is your upward average raw material adjustment; if a minus amount, it is the downward raw material adjustment by which you must reduce your price after completion of the computations in subparagraph (4) of this paragraph.

Example

A. 1950 weighted average raw material cost per ton	$30
1948 weighted average raw material cost per ton	20
Difference	10
Allowable increase per ton of 1951 over 1950	5
Total upward adjustment	15
B. 1948 weighted average raw material cost per ton	25
1950 weighted average raw material cost per ton	22
Difference	3
Allowable increase per ton of 1951 over 1950	5
Total upward adjustment	2
C. 1948 weighted average raw material cost per ton	35
1950 weighted average raw material cost per ton	25
Difference	10
Allowable increase per ton of 1951 over 1950	5
Total downward adjustment	5
D. 1948 weighted average raw material cost per ton	35
1950 weighted average raw material cost per ton	25
Difference	10
Decrease per ton of 1951 from 1950	2
Total downward adjustment	12

(This downward adjustment, converted to a finished product basis, is subtracted from your "adjusted base price", as provided in paragraph (d) of this section.)

(4) You then divide your average raw material cost adjustment per ton (or other unit of purchase) by your average yields per ton (or other unit of purchase) of the raw material for the years 1948, 1949 and 1950 (or such of them in which you packed the product), reduced to dozen containers of the product, and adjust for grade yield distribution according to your customary practice during such period.

The result of computations of this paragraph is your upward or downward adjustment for raw material costs per dozen containers of the item.

If it has not been your customary practice to distribute raw material costs to the various grades of finished product on a grade differential basis, you may continue to follow your usual practice of distribution or you may redistribute the above figure obtained by "dividing your average raw material cost adjustment per ton (or other unit of purchase) by the simple average of the yields for the years 1948, 1949 and 1950" in accordance with the following procedure (however, if you elect to redistribute in accordance with the following procedure, for any product, you must redistribute in the same manner for all products covered by this regulation):

(i) Determine the total sales value of the entire 1948 pack of the product at base period prices. For this purpose only, you may use your 1948 opening price for any item for which you cannot determine a base period price.

(ii) Determine the total number of tons (or other unit of purchase) of raw material used in producing the 1948 pack of the product.

(iii) Multiply the average raw material cost adjustment per ton (or other unit of purchase) as determined under paragraph (c) (3) of this section by the total number of tons (or other unit of purchase) used in 1948.

(iv) Calculate the ratio secured by dividing (iii) by (i).

(v) Then multiply each base price by the ratio obtained as a result of the computation under (iv) to obtain the upward or downward adjustment for raw material costs per dozen containers of the item. If you have customarily maintained a distinction among varieties in your sales of items of a product, you may figure a separate raw material adjustment for each variety.

[Paragraph above including subdivisions (i), (ii), (iii), (iv) and (v) added by Amdts. 4 and 5]

(d) *Your ceiling price.* If the final result of the calculations for raw material cost adjustments provided in paragraph (c) of this section is an increase, you shall add such increase per dozen containers to your adjusted base price, as determined in accordance with paragraph (b) of this section, and the result is your ceiling price per dozen containers for the item. If the final result of the calculations provided in paragraph (c) of this section is a decrease, you shall deduct such decrease per dozen containers from your adjusted base price, as determined in accordance with paragraph (b) of this section, and the result is your ceiling price per dozen containers for the item.

(e) *Recalculation.* If, during the pack of the product, your purchase price for the same grade or grades of the raw material changes from that which you were paying when you computed your prevailing ceiling price for the item, you shall recalculate your ceiling price for the item when your pack has reached an amount equal to 20 percent of your 1950 pack of the same item (or if you did not pack the item in 1950, then equal to 20 percent of your estimated 1951 pack), and immediately after you have completed the pack of the product. You need not recalculate if the change in raw material cost is an increase. In any case of recalculation of ceiling price no goods shall be delivered after the recalculation at a price higher than the recomputed ceiling price.

In recomputing a ceiling price on an item under this subsection you shall base your calculation on the weighted average cost of all of the raw material used in packing the item up to the time when you are making the recomputation.

(f) *Sales f. o. b. shipping points other than factory.* If during the base period you sold all or portions of an item at a shipping point other than the factory where the item was canned and if you did not absorb transportation costs from your factory to this shipping point, you must, in computing your ceiling price f. o. b. factory subtract from your base period sales price the transportation costs for the item from its factory of origin to such location. Then add to your f. o. b. factory ceiling price, for all or any portion of the item sold f. o. b. such location, the current transportation costs per sales unit from factory to such location.

(g) *Special pricing provisions for mixed vegetables and mixed vegetable juices.* If you process an item which consists of a combination of two or more vegetables listed in section 1 of this regulation and any amendments thereto or two or more juices of such vegetables, you shall figure your ceiling price as follows:

(1) Multiply your "base price" as determined under paragraph (a) of this section, by the appropriate figure named in Table I in paragraph (b) of this section, for the item of mixed vegetable you are pricing.

(2) Determine the difference between your 1948 and 1951 raw material cost per ton in accordance with paragraph (c) of this section, for each kind of raw material used in the mixture.

(3) Convert the raw material adjustment of each item of raw material to a finished product basis, as provided in paragraph (c)(4) of this section, using as your yield, the yield of each kind of raw material as though it were canned separately.

(4) Multiply the result determined for each kind of raw material under subparagraph (3) of this paragraph by the percentage of that kind used in the mixture and combine these amounts.

(5) Finally, add the result of subparagraph (4) of this paragraph to, or, if a minus figure, subtract it from your "adjusted base price" to obtain your f. o. b. factory ceiling price, in accordance with paragraph (c)(4) of this section.

Example. Suppose (a) the base price for canned succotash is $0.90 per dozen #303 cans, (b) the factor specified is 1.04, (c) the mixture consists of 80% corn and 20% lima beans, and (d) the raw product cost increases and yields are $6.40 and $29.00 per ton and 60 dozen and 260 dozen, respectively, for corn and lima beans.

	Dollars per dozen No. 303 cans
(1) Base price	0.9000
Adjusted base price, 0.90×1.04	.9360
(2) Raw material cost increases:	
Corn, $6.40 per ton.	
Lima beans, $29.00 per ton.	
(3) Raw material cost increase for items used:	
Corn, $6.40÷60	0.1066
Lima beans, $29.00÷260	.1115
(4) Raw material cost increase for item:	
Corn, 80% of .1066	.0852
Lima beans, 20% of .1115	.0223
	.1075
(5) Ceiling price for item:	
Adjusted base price (per (1) above)	.9360
Raw material cost increase (per (4) above)	.1075
Ceiling price	1.0435

(h) *Different classes of sales.* If you sold during the base period the same "item," as defined in section 26 of this regulation, in not more than two classes of sales so that the price of the lower class of sales differed from the higher priced class by a specific and definite

dollar and cent differential, you may compute your ceiling price under this section for the item by using only the weighted average sales during the base period of the lower class. In all sales of the higher priced class, to buyers other than governmental agencies, institutional, or industrial users, you may add to the ceiling price for the item the same dollar and cents differential which existed during the base period between the lower and higher classes, provided your sales of the higher priced class from your 1951 pack shall not exceed 100 percent of the higher of either (a) the number of dozen of the higher priced class sold in 1950, or (b) your 1950 proportion of the dozens sold of the higher priced class to your 1950 total sales in dozens of the item.

SEC. 3. *Ceiling prices for grower-processors, grower-owned cooperatives and other processors who purchase raw materials on an open-end contract*—(a) *Computation of ceiling price.* (1) If you are a grower-processor, a grower-owned cooperative, or a processor who purchases on open-end contracts, and if in both 1948 and 1950 you purchased at least 10 percent of your total use of raw material at prices definitely ascertainable at time of making this computation of your ceiling price, you shall use the weighted average of these outside purchases as your raw material cost and calculate under section 2 (c) of this regulation. If in 1948 and 1950 you did not have any such outside purchases you shall first determine your "base price" and "adjusted base price" per dozen containers as provided in section 2 of this regulation. Then, if in both 1948 and 1950 you sold to other processors the same kind of raw material in a total amount equal to or exceeding 10 percent of the amount processed by you in each such year, you shall use the weighted average of such sales in each of the years 1948 and 1950 as the equivalent of the weighted average cost of raw material for each such year in making the determination provided for in section 2 (c) (1) of this regulation.

(2) If you are a grower-processor or if you are a processor who purchases raw materials on an open-end contract and if you are unable to determine your 1948 and 1950 weighted average cost equivalent under subparagraph (1) of this paragraph, you shall borrow the 1948, 1950 and 1951 weighted average raw material cost per ton (or other unit of purchase) of your nearest processor of the same kind of raw material who has determined his weighted average raw material costs for those years in conformity with section 2 of this regulation. You shall then use these borrowed average raw material costs in making the determinations for raw material cost adjustments required under section 2 (c) of this regulation.

(3) If you are a grower-owned cooperative and if you are unable to determine your weighted average raw material cost for 1948 and 1950 under subparagraph (1) of this paragraph, you shall borrow the 1948 and 1950 weighted average raw material costs of your nearest processor of the same kind of raw material who has determined his weighted average raw material costs for these years in conformity with section 2 of this regulation. You shall then use these borrowed average raw material costs to determine the difference between these 1948 and 1950 costs under section 2 (c) (1) of this regulation.

If this difference resulted from a higher cost for 1950 than for 1948, you shall add to this difference an amount up to but not in excess of the higher of either (i) the dollar maximum increase permitted by Table II in section 2 (c) of this regulation, or (ii) the figure obtained by multiplying the amount being used by you as the equivalent of your weighted average raw material cost for 1950 by the percentage maximum raw material permitted cost increase in that Table.

If the above difference resulted from a higher cost for 1948 than for 1950, it shall be treated as a minus quantity and you shall deduct it from a plus quantity up to, but not in excess of, the higher of either (i) the dollar maximum increase permitted by Table II in section 2 (c) of this regulation, or (ii) the figure obtained by multiplying the amount being used by you as the equivalent of your weighted average raw material cost for 1950 by the percentage maximum raw material permitted cost increase in that Table. In either of the contingencies provided for in this paragraph, the result will be your upward or downward raw material cost adjustment per ton (or other unit of purchase).

(4) You shall then convert this raw material cost adjustment per ton (or other unit of purchase) to your raw material cost adjustment per dozen containers of the item as provided in section 2 (c) (4) of this regulation and proceed to compute your ceiling price for the item as provided in section 2 (d) of this regulation.

(b) *Required pass-back to growers.* If you are a grower-owned cooperative, this permitted increase for raw material cost may be taken only if you pass back the entire increase to growers. The amount you must pass back to growers shall be computed as follows:

(1) Compute the full amount per ton paid to the grower in 1948 for the same kind of raw material.

[Subparagraph (1) amended by Amdt. 5]

(2) Add to this amount the per ton increase computed in accordance with paragraph (a) of this section and included in your sales prices.

(3) Divide this total by the number of dozen containers produced per ton of raw material. This is your raw material cost per dozen containers.

(4) Multiply the raw material cost per dozen containers by the number of dozen containers sold during the accounting period. The result is the total amount which must be paid to the grower including the amount to be passed back. The amount passed back must be paid within 30 days after the end of your normal accounting period.

(c) *Reports required under this section.* If you are a grower-owned cooperative and you determine your raw material permitted cost increases under paragraph (a) of this section, you shall mail to the Office of Price Stabilization, Washington 25, D. C., not less than 30 nor more than 60 days after the end of each normal accounting period, a report by registered mail giving all of the computations required by paragraph (b) of this section.

SEC. 4. *Ceiling prices for processors who did not sell the item during the base period but who sold other items of the product during that period.* This section applies to most items for which ceiling prices cannot be determined under sections 2 or 3.

(a) *Comparison with other items appearing on your price list.* This paragraph provides a method for determining ceiling prices for an item you did not sell during the base period by making a comparison between the opening prices for that item and for a "comparison item" as quoted in your "price list". The "comparison item" is limited to an item of the product for which you determine a ceiling price under sections 2 or 3. Your "price list" means the first written opening price list from among your lists for 1950, 1949 or 1948 (in that order) on which the comparison item and the item being priced both appear.

(1) *Items which differ only in container size or type.* You shall select as a "comparison item" from your price list that item differing only in container size or type which is nearest in container size to the item being priced. No. 10 and No. 3 cylinder sizes shall neither be priced nor used as comparison items under this subparagraph. To obtain your ceiling price, you shall:

(i) Divide the price on your price list for the item being priced by the price on your price list for the comparison item.

(ii) Multiply the ceiling price as determined under sections 2 or 3 for the comparison item by the quotient obtained in subdivision (i) of this subparagraph. The result is your ceiling price for the item being priced.

(2) *Items which differ only in grade.* You shall select as a "comparison item" from your price list that item differing only in grade which is nearest in price to the item being priced. Sub-standard grades shall neither be priced nor used as comparison items under this subparagraph. To obtain your ceiling price, you shall:

(i) Divide the price on your price list for the item being priced by the price on your price list for the comparison item.

(ii) Multiply the ceiling price as determined under sections 2 or 3 for the comparison item by the quotient obtained in subdivision (i) of this subparagraph. The result is your ceiling price for the item being priced.

(3) *Items which differ in variety, style of pack, sieve size or count.* You shall select as a "comparison item" from your price list that item differing in variety, style of pack, sieve size or count (which may or may not also differ in grade or container size) which is nearest in price to the item being priced. Sub-standard

grades shall neither be priced nor used as comparison items under this subparagraph. To obtain your ceiling price, you shall:

(i) Divide the price on your price list for the item being priced by the price on your price list for the comparison item.

(ii) Multiply the ceiling price as determined under sections 2 or 3 for the comparison item by the quotient obtained in subdivision (i) of this subparagraph. The result is your ceiling price for the item being priced.

(b) *Ceiling prices for items of a product in new container sizes.* If you are unable to calculate your ceiling price for an item under paragraph (a) of this section and if you can obtain a "comparison item", you shall calculate your ceiling price under this paragraph. Your "comparison item" is the item of the same product (i) for which you are able to figure a ceiling price under section 2, 3, or 4 (a) even though you no longer sell the product in that container size, (ii) which differs from the item being priced only in container size, and (iii) which is nearest in container size to the item being priced but is not more than 75 percent larger or smaller in size. Then to obtain your ceiling price, you shall:

(1) Obtain the f. o. b. factory ceiling price per dozen containers for the comparison item.

(2) Subtract from subparagraph (1) of this paragraph, the "container cost" per dozen containers of the comparison item. "Container cost" means the current net cost to the processor, delivered at his factory, of containers, caps, labels and proportionate shipping cartons.

(3) Divide the label weight of the item being priced by the label weight of the comparison item.

(4) Multiply the figure determined under subparagraph (2) by the quotient obtained in subparagraph (3) of this paragraph.

(5) Add to the result of subparagraph (4) of this paragraph the current "container cost" per dozen containers of the item being priced. The result is your ceiling price, f. o. b. factory, per dozen containers of the item being priced.

(c) *Items for which ceiling prices cannot be determined under paragraphs (a) and (b).* If you are unable to calculate your ceiling price for an item under paragraph (a) or (b) of this section but are able to calculate ceiling prices for other items of the same product under sections 2, 3, or paragraph (a) or (b) of this section, you shall calculate your ceiling price for the item being priced in the following manner:

(1) Select as a "comparison item" an item of the same product for which you have calculated a ceiling price under section 2, 3, or paragraphs (a) or (b) of this section and which differs from the item being priced in one or more of the following respects: Container size, container type, grade, style of pack, sieve size, or count. This comparison item shall be the item of the product whose "current direct cost" per dozen containers is closest to that of the item being priced. "Current direct cost" means the sum of the amounts (not higher than permitted by law) which it costs you for direct processing labor, ingredients, and packaging materials.

(2) Determine the "current direct cost" per dozen containers of the comparison item.

(3) Determine the "current direct cost" per dozen containers of the item being priced.

(4) Divide the current direct cost of the item being priced by the current direct cost of the comparison item.

(5) Multiply the ceiling price for the comparison item selected in subparagraph (1) of this paragraph by the quotient obtained in subparagraph (4) of this paragraph. The result is your ceiling price for the item being priced.

[Section 4 amended by Amdt. 5]

SEC. 5. *Ceiling prices for processor-wholesalers and for processor-retailers.* If you are a processor-wholesaler or processor-retailer, as defined in this regulation, with respect to an item, you shall compute your ceiling price for the item as follows:

(a) *Your base price.* You shall compute your base price by the first one of the following methods which is applicable: *Provided, however,* That all items of the product shall be priced by the same method.

(1) If you sold during the base period 10 percent or more of your total 1948 production of the product to wholesalers or to chain store buying agencies who were in no way associated or affiliated with you, you shall use the weighted average sales price of such sales as your base price.

(2) If you are unable to price under subparagraph (1) of this paragraph, and if you are a processor-wholesaler as defined in this regulation, you determine the weighted average sales price of your sales of the item as a wholesaler during the base period, and divide this weighted average by the markup factor provided in CPR 14 for the wholesale class in which you operate having the highest markup. If you are a processor-retailer, you determine the weighted average sales price of your sales of the item as a retailer during the the base period, and divide this weighted average by 100 percent plus the markup provided in CPR 15 for Group 4 stores.

You then deduct the total transportation cost from the wholesale or retail figure resulting from the above division. The resulting figure is your base price as that term is used in section 2 (a) of this regulation.

(b) *Ceiling price f. o. b. factory.* Using the base price determined under paragraph (a) of this section, you shall then determine your f. o. b. factory ceiling price in accordance with the provisions of section 2 of this regulation.

(c) *Ceiling prices at wholesale.* For any sales of the items at wholesale, you shall proceed as a wholesaler under the provisions of CPR 14, as amended, finding your "net cost" by substituting your f. o. b. factory ceiling price determined above for the "amount you paid your supplier" under CPR 14, as amended.

(d) *Ceiling prices at retail.* For any sales of the items at retail, you shall proceed as a Group 4 retailer under the provisions of CPR 15, as amended, finding your "net cost" by substituting your f. o. b. factory ceiling price determined above for the "amount you paid your supplier" under CPR 15, as amended.

SEC. 6. *Ceiling prices for processors who are unable to figure their ceiling prices under sections 2, 3 or 4 of this regulation.* (a) If you are unable to figure your ceiling price for an item under sections 2, 3 or 4 of this regulation, you shall use as your ceiling price for the item the simple average of the ceiling prices for the item of the three processors of the item located nearest your factory in the same pricing area as defined in section 2 (a) (3) and who have determined their ceiling prices under sections 2, 3 or 4 of this regulation. If there are less than three processors in this area, use the simple average of two available ceiling prices. If there is only one ceiling price available, you may use such price. If you are unable to secure the ceiling prices of these processors, you shall apply to the Fruit and Vegetable Branch, Office of Price Stabilization, Washington 25, D. C., for individual authorization of a ceiling price in accordance with section 7 of this regulation.

[Paragraph (a) amended by Amdt. 5]

(b) If you believe that the ceiling price obtained by using the provisions of paragraph (a) of this section, is not representative of the competitive price level at which you have customarily sold your products, or if you use merchandising methods in their sale and distribution different from those of such processors, you may apply to the Office of Price Stabilization, for a ceiling price. In filing an application under this section, you shall submit your selling prices for the years 1948, 1949, and 1950 (or such of these years as available), of all items of the same or most closely comparable product, and prices (if available) of the processors whose ceilings you are using for the same years covering the same or comparable product.

SEC. 7. *Individual authorization of ceiling prices.* If you cannot determine your ceiling price for an item under any of the foregoing pricing methods of this regulation you shall, before delivering the item to any purchaser, apply to the Office of Price Stabilization, Washington 25, D. C., for a ceiling price for each factory or group of factories at which you process the item.

(a) *Information that must be given in all cases.* In all such cases, you shall submit, if available, the following information in your application:

(1) A description in detail of the item for which a ceiling price is sought, a statement of the facts that make it different from the most similar item for which you have determined a ceiling price, identifying the similar item and stating its ceiling price, and a statement giving the reasons why a ceiling price cannot be established under the pricing methods of this regulation. The statement should indicate whether sales of the item have previously been made, and if so, whether a ceiling price was established under the General Ceiling Price

Regulation, and if so, the ceiling price so established for each class of purchaser and the section of that regulation under which established.

(2) The 1948, 1950 and 1951 weighted average raw material costs per ton (or other unit) figured in the manner and subject to the limitations set forth in section 2 (c) of this regulation and a statement showing your current case (unit) yield.

(3) Breakdown by item of the estimated total costs computed in accordance with your customary accounting practice.

(4) The ceiling price proposed for the item, indicating whether it is for sale to wholesalers, retailers, consumers, or other classes of purchasers, and any discounts, or allowances that should be applicable to the proposed price and a list of your customary discounts, transportation and other allowances and price differentials.

(5) The volume of the item which you have on hand and which you expect to produce during the remainder of the pack year.

(b) *Supplementary information must be given if specifically requested.* You shall mail to the Office of Price Stabilization within 15 days after receipt of its request such additional information as shall be requested. If you fail, without reasonable explanation, to submit all additional information that may have been requested within 15 days after the request is mailed, your application shall be considered withdrawn and the docket closed. Unless the application is refiled, the docket will not be reopened upon later receipt of this information, and further consideration by the Office of Price Stabilization will not be given.

(c) *Disposition of application.* Upon receipt of the application, the Office of Price Stabilization will authorize a ceiling price, or a method for determining the ceiling price, for the applicant or for sellers of the item generally. The ceiling price authorized shall be one that bears a proper relationship to those for comparable commodities and sellers.

A proposed price shall be considered authorized 20 days after the application (or all additional information that may have been requested) is mailed by Registered Air Mail, addressed to Office of Price Stabilization, Washington, D. C., unless within that time, the applicant has received from the Office of Price Stabilization a notice to the contrary.

(d) *Delivery before authorization of ceiling prices.* After filing the application, you may deliver the item and receive a payment of not more than 75 percent of the proposed price, but you may not receive further payment for it until a ceiling price is authorized.

(e) *Failure to apply when required.* If you fail to apply for a ceiling price under this section when required to do so, the Office of Price Stabilization may authorize a ceiling price for your sales of the item bearing a proper relationship to those for comparable commodities and sellers. This will not relieve you of your obligation to comply with this section or with any other provision of this regulation, nor will it relieve you of any penalty for failure to do so.

(f) *Revision of prices by the Office of Price Stabilization.* Any ceiling price established under this section shall be subject to revision at any time by the Office of Price Stabilization.

SEC. 8. *Individual adjustment of processors' ceiling prices*—(a) *Who may apply.* If, as a result of abnormal price relationships in the base period, your ceiling prices generally as calculated under this regulation, are substantially out of line with the ceiling prices of your most closely competitive sellers of the same class when your relative prices are compared with the normal relationship which existed during the period from 1946 to 1950, you may apply to the Office of Price Stabilization, Washington 25, D. C., for adjustment of your ceiling prices.

(b) *Information to be submitted.* In filing an application for adjustment under this section, you shall submit the following information:

(1) For all items of the product which you process:

(i) A description of each of the items;

(ii) Your ceiling prices as calculated under this regulation;

(iii) Your base prices;

(iv) Your selling prices as of the date of application;

(v) Your requested ceiling prices.

(2) The names of three processors most closely competitive with you and whose operations are most comparable to your operation. Indicate which of the items are processed by each competitor.

(3) Price lists to show the relationship of your selling prices to your competitors' prices during the past five years. If you do not have or cannot obtain your competitors' price lists, state the reason why.

(4) A statement why the base period is not representative of your operations, what period would be representative and why.

(5) The number of cases of each item of the product packed each year during the years 1946 through 1950, and your estimated number of cases for 1951 (or the actual number if your pack is completed), and your total case volume of production of all processed fruits, berries and vegetables in each such year.

(6) Your company balance sheets and profit and loss statements for the years 1946 through 1950, or for such of those years in which you packed processed fruits and berries or vegetables.

(7) A projected profit and loss statement for 1951 computed on the basis of your 1950 volume and your current ceiling prices, except that 1951 volume shall be used for those products where the 1951 pack has been completed.

(8) Your basic wage rates for unskilled male and female labor for the years 1948 and 1951.

(9) The cost to you of the raw material per ton (or other unit of purchase), delivered at the factory, for the years 1948, 1950, and 1951.

In projecting 1951 profit and loss statements, your costs for the raw agricultural materials listed in Table II shall not exceed those resulting from the applications of the maximum permitted increases set forth in that table; and your costs for labor shall not exceed your wage rates authorized and effective under the regulations of the Wage Stabilization Board.

You shall submit such further information relating to your application for adjustment under this section as may be requested by the Office of Price Stabilization.

(c) *Factors to be considered in making individual adjustments.* In making any adjustment under this section, the following factors will be considered:

(1) The degree of abnormality of applicant's base prices.

(2) A comparison of price relationships, item by item, between applicant and his most closely competitive sellers of the same class from 1946 to date.

(3) Total unit costs of processing.

(4) A comparison of applicant's projected earnings based upon existing ceiling prices with 1946–1949 earnings.

(5) The amount of adjustment under section 402 (d) of the Defense Production Act, as amended.

(d) *Action to be taken by the Director of Price Stabilization.* The Director of Price Stabilization may upon filing of a petition under this section adjust (upward or downward) any or all of applicant's prices for the product for which he seeks adjustment. Such adjustments will be made upon the basis of the standards set forth in paragraph (c) of this section and will be in accordance with the purposes and requirements of the Defense Production Act of 1950, as amended by the Defense Production Act Amendments of 1951. Any adjustment made under this section may be revised or revoked at any time by the Director of Price Stabilization.

(e) During the consideration of any application under this section, the Director may authorize the applicant to agree with purchasers from him that any deliveries made during the pendency of the application shall be at the price determined by the disposition of the application.

[Section 8 added by Amdt. 2]

SEC. 9. *Uniform f. o. b. factory prices for factories in different pricing areas.* (a) If you process the item being priced at more than one factory and if your ceiling prices for the item vary by factories located in different pricing areas, you may establish a uniform ceiling price for the item for any group of factories in those areas by figuring a weighted average of their separate ceiling prices.

(b) For any two or more factories selected by you, the "weighted average ceiling price" shall be figured by you as follows:

(1) You shall (i) determine the total estimated receipts which would have been obtained if your total production of the item at those factories during 1950 had been sold at the separate ceiling prices otherwise determined under this regulation, and (ii) divide that figure by the total number of dozens of the item included in that total production. The

result is your uniform f. o. b. factory price.

(c) If you at any time recalculate your ceiling prices for an item under the provisions of section 2 of this regulation, you shall at that time refigure your weighted average ceiling price under this section.

SEC. 10. *Delivered prices.* You may figure a delivered ceiling price by adding to the ceiling price for the item f. o. b. factory, the amount of the current transportation charges per sales unit of that item.

SEC. 11. *Uniform delivered pricing by zones or areas—(a) Sellers who sold during 1950 on a uniform delivered price by zones or areas—(1) For one factory.* If you sold or delivered an item covered by this regulation during 1950 on an established uniform delivered price basis by zones or areas, you may establish a delivered ceiling price for the same zone or area by adding to your ceiling price f. o. b. factory, an average transportation charge, figured on the same basis as you figured such charge during 1950, but at current transportation rates. If you desire to sell an additional item not sold during 1950 on such uniform delivered price basis, you may establish a uniform delivered ceiling price for the same zones or areas, by adding to your f. o. b. factory ceiling price for the item, transportation charges which are mathematically proportional by shipping weight to the charges which were added to an item of the nearest shipping weight sold on a uniform delivered price basis in 1950.

(2) *For two or more factories.* If you sold an item during the calendar year 1950 from two or more factories on an established uniform delivered price basis, by zones or areas, regardless of the factories from which the shipment was made, you may continue such practice for the same zones or areas. Your uniform delivered ceiling price for the item shall be the weighted average of the delivered ceiling prices, as figured in sub-paragraph (1) of this paragraph, for the item computed on the basis of the proportion of sales of the pack of the item made during 1950 from each of your respective factories.

SEC. 12. *Payment of brokers.* In accordance with trade custom every broker shall be considered as the agent of the canner and not the agent of the buyer. In each case, the amount paid by the buyer to the processor plus any amount paid for brokerage service to the broker shall not exceed the total of the processor's ceiling price and allowable transportation costs actually paid by the processor or by the broker. The term "broker" includes a "finder."

SEC. 13. *Special packing expenses that may be reflected in ceiling prices—(a) Conditions under which special packing expenses may be reflected in ceiling prices.* Special packing expenses to meet special written requirements of the buyer for government use, for export, or for gifts are a basis for increasing ceiling prices for sales of an item if the following conditions are satisfied:

(1) The item must be packed in a manner, package or container that is different from and more expensive than standard packing; and

(2) The processor must pack the goods for sale by himself; and not for another on a custom or "toll" basis.

(b) *Ceiling prices for sales that meet the conditions of paragraph (a).* For any sale that satisfies the requirements of paragraph (a) of this section, your ceiling price as otherwise determined under this regulation may be increased by the following amount:

(1) The additional cost of packing according to the specifications of the buyer in excess of the cost of standard packing, if the processor packs the commodity himself, or

(2) The additional amount actually paid to another person for packing according to specifications of the buyer in excess of the cost of standard packing, if the processor does not pack the commodity himself.

(c) *Invoice and record-keeping requirements.* In any case where your ceiling price is increased under paragraph (b) of this section, you shall:

(1) Show separately the amount of the increase in your contract of sale or on your invoice.

(2) In addition to the records otherwise specified by this regulation, prepare and keep for inspection by the Office of Price Stabilization, for two years, from the date of your invoice to the buyer, accurate records showing the cost of standard packing and the cost of packing according to the specifications of the buyer.

(d) *Computation of costs.* Costs must be figured according to your established accounting methods. Appropriate allowances shall be made for any materials salvaged in unpacking and repacking.

(e) *Meaning of "packing" and "standard packing".* "Packing" means the providing of wrappings, inner containers, or outer containers; the placing of commodities in such wrappings or containers; the application of any special coverings or coatings; and any unpacking and repacking necessary to conform to the specifications of the buyer.

"Standard packing" means the most expensive packing the cost of which was included in figuring the ceiling prices established by this regulation.

SEC. 14. *Units of sale and fractions of a cent.* (a) Ceiling prices shall be stated in terms of the same general sales units (like dozens, cases, etc.) in which you have customarily quoted prices for the product. Sales in units other than those in which you computed your ceiling price shall be at that ceiling price adjusted for the number of containers in the unit and for customary discounts and differentials.

(b) Amounts computed in the process of figuring a ceiling price (other than the ceiling price itself) shall be carried to four decimal places (hundredth of a cent). If any figured ceiling price includes a fraction of a cent, you shall adjust the ceiling price to the nearest cent or one-half cent in accordance with your established method for quoting your sales prices.

SEC. 15. *Maintenance of customary discounts, allowances and price differentials.* You shall not change any customary allowance, discount or other price differential (as defined in section 26 of this regulation) to a purchaser or class of purchasers, if the change results in a higher price to that purchaser or class. However, this provision shall not require you to sell any item unlabeled, or under a buyer's label, or to extend or duplicate any temporary promotional campaign.

SEC. 16. *Export sales.* The ceiling price at which you may export any item covered by this regulation shall be determined in accordance with the regulation applicable to such sales.

SEC. 17. *Storage.* Storage costs incurred on goods owned by you shall not be added to your ceiling prices if customarily absorbed by you. Storage by you of goods owned by the buyer shall be charged for in accordance with the rates provided by the ceiling price regulation applicable to such services.

SEC. 18. *Records which must be kept.* If you make sales covered by this regulation, you shall:

(a) Make and preserve for examination by the Office of Price Stabilization for two years from the date of your invoice to the buyer, all records of the same kind as you have customarily kept, relating to the prices which you charged for those sales, and

(b) Preserve for examination by the Office of Price Stabilization for as long as the Defense Production Act of 1950 remains in effect, and for two years thereafter, all your existing records which were the basis of figuring your ceiling prices in the manner directed by this regulation, showing the method used in figuring the ceiling prices.

SEC. 19. *Reports which must be filed.* (a) If you determine ceiling prices for items of the processed vegetables covered by this regulation, you shall mail to the Fruit and Vegetable Branch, Office of Price Stabilization, Washington 25, D. C., a report on OPS Public Form No. 66, signed by you, for all items for which you determine ceiling prices under this regulation. If you determine your ceiling price for an item under section 6 (a) you shall furnish the names and addresses of the processors from whom you borrowed ceiling prices, together with the ceiling prices borrowed. All items of the product of a particular vegetable shall be included on one form. However, a supplemental form shall be filed if ceiling prices for some items of a product are determined at a later date. You will be furnished with copies of that reporting form. However, if additional copies are needed, they may be obtained from any field office of the Office of Price Stabilization, or from the Fruit and Vegetable Branch, Office of Price Stabilization, Washington 25, D. C.

[Paragraph (a) amended by Amdts. 4 and 5]

(b) The reports required by this section for any item shall be mailed to the Office of Price Stabilization, Washington 25, D. C., within 5 days after such item is offered for sale hereunder or by September 1, 1951, whichever date is the later.

[Paragraph (b) amended by Amdts. 1 and 3]

SEC. 20. *Sales slips and receipts.* If you have customarily given a purchaser a sales slip, invoice or similiar evidence of purchase, you shall continue to do so. Upon request, you shall, regardless of previous custom, give the purchaser a receipt showing the date, your name and address, the name and quantity of each item sold, and the price received for it.

SEC. 21. *Transfers of factory.* If a factory of a processor subject to this regulation is sold or its operation otherwise transferred to you on or after July 25, 1951, your ceiling prices with respect to such factory shall be the same as those to which your transferor would have been subject if no such transfer had taken place, and your obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over, to you all records of transactions prior to the transfer which he has and which are necessary to enable you to comply with the record provisions of this regulation.

SEC. 22. *Adjustable pricing.* You may agree to sell at a price which can be increased up to the ceiling price in effect at the time of delivery, but you may not, unless authorized by the Office of Price Stabilization, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Stabilization after delivery. Such authorization may be given when a request for a change in the applicable ceiling price is pending, but only if the authorization is necessary to promote distribution and will not interfere with the purposes of the Defense Production Act of 1950. The authorization may be given by the Director of Price Stabilization or by any official of the Office of Price Stabilization having authority to act upon a pending request for a change in price or to give the authorization. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated action is the authorization of an individual ceiling price.

SEC. 23. *Treatment of excise taxes—*(a) *Taxes in effect during base period.* If during the base period, you separately stated and collected any excise or similar tax you may continue to collect the current amount of any such tax in addition to your ceiling price. If you did not customarily during the base period state and collect separately from the purchase price, the amount of tax paid by you, you may not collect the amount of such tax in addition to your ceiling price.

(b) *Taxes imposed since base period.* In all other cases, if at the time you determine your ceiling price the statute or ordinance imposing the tax does not prohibit you from stating and collecting the tax separately from the purchase price, you may collect in addition to your ceiling price, the amount of the tax actually paid by you.

In every case when the tax is collected from the purchaser the amount thereof shall be separately stated.

SEC. 24. *Compliance with this regulation—*(a) *No selling or buying above ceiling prices.* Regardless of any contract or obligation no person shall sell or deliver or, in the course of trade, buy or receive any item at a price higher than the ceiling price established by this regulation.

(b) *Evasion.* No person shall evade a ceiling price, directly or indirectly, whether by commission, service, transportation, or other charge or discount, premium, or other privilege; by tie-in requirement or other trade understanding; by any change of style of pack; by a business practice relating to grading, labeling or packaging, or in any other way.

(c) *Enforcement.* Any person violating a provision of this regulation is subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided by the Defense Production Act of 1950.

SEC. 25. *Petitions for amendments, protests and interpretations.* Any protest, petition for amendment, or request for interpretation of this regulation, may be filed in accordance with the provisions of Price Procedural Regulation 1, revised.

SEC. 26. *Definitions.* When used in this regulation the term:

(a) "Base period" of a product means the sixty-day period beginning with and including the first day in 1948 that the processor processed any item of that product. For a vegetable product which has two separate and distinct pack seasons, "base period" means the period of one hundred and twenty days obtained by adding the sixty-day period in 1948 for the earlier pack to the sixty-day period in 1948 for the later pack. Each of these sixty-day periods begins with and includes the first day in 1948 that the processor processed any item during the separate pack seasons.

[Paragraph (a) amended by Amdts. 4 and 5]

(b) "Customary allowances, discounts and price differentials" means those differentials for cash discount, swell allowance, allowance for buyer's labels, for unlabeled goods, for differences in volume of sales, for class of buyer, for class of sale, or for method or time of delivery which were customary in the business of the canner and in effect prior to and during the base period.

(c) "Grade" means the commercial grade or customary trade quality designation at the time of shipment. However, where the canner elects to use grades as established and defined by any governmental agency and sells the item under any such grade designation, the term "grade" means such grade at time of shipment.

(d) "Item" means a kind, variety, grade, density, size or sieve size, style of pack, or container type and size of a product. Brand names shall not in themselves constitute separate items.

[Paragraph (d) amended by Amdt. 5]

(e) "Person" means an individual, corporation, partnership, association, or any other organized group of persons, and their legal successors or representatives. The term includes the United States, its agencies, other governments, their political subdivisions and their agencies.

(f) "Processor" means a person who is engaged commercially in preserving a vegetable by processing so as to materially extend the period of its availability for consumption as a food. The term includes a person who has the item processed for him by another and who owns the raw material immediately prior to and throughout the processing.

(g) "Processor-retailer" means a processor who sells the item at retail.

(h) "Processor-wholesaler" means a processor who sells the item at wholesale.

(i) "Product" means the common and usual name of a finished food processed from a vegetable covered by this regulation.

(j) "Sales at retail" means sales to ultimate consumers other than commercial, industrial and institutional users.

(k) "Sales at wholesale" means sales with respect to which processor has performed the function of selling as a wholesaler to retail stores, but not including sales to chain stores buying agencies, or to associations of retail store buying agencies which warehouse the product prior to distribution to the individual retail outlet.

(l) "Sales units" means your customary invoicing quantities of the item, such as dozens, cases, etc.

(m) "weighted average raw material cost" means the total amount paid by the processor to the grower for the raw agricultural material plus any transportation, storage, harvesting, seeds and plants, crates, boxes, bags, acquisition, and other direct costs, paid or incurred by the processor up to the point of delivery at the factory, divided by the total tons (or other units) of raw material purchased.

(n) "You" or "Your" means any processor whose sales are covered by this regulation.

NOTE: The record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.
By: JOSEPH L. DWYER,
Recording Secretary.

[F. R. Doc. 51-13091; Filed, Oct. 26, 1951; 11:54 a. m.]

[Ceiling Price Regulation 64, Amdt. 1]

CPR 64—TIRE MILEAGE

PRICING FOR FIXED RATE CONTRACTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Or-

der 10161 (15 F. R. 6105) and Economic Stabilization Agency General Order No. 2 (16 F. R. 738) this Amendment 1 to Ceiling Price Regulation 64 is hereby issued.

STATEMENT OF CONSIDERATIONS

CPR 64 set ceiling prices for the tire mileage industry by freezing the base rates during the base period and permitting the operation of an escalator clause as regards the price of rubber, rayon and cotton in accordance with existing contracts. A small segment of the tire mileage industry, however, was supplying tire mileage under contracts which did not contain an escalator clause. CPR 64 required such contracts to freeze the base rate and add an escalator clause. This has been found to be objectionable since a rise in the cost of rubber, rayon or cotton could bring about a situation wherein the operator might be required to pay more than his previously contracted price. To remedy this situation, this amendment permits tire mileage contracts without escalator clauses to run until they expire or require a renegotiation, at which time a new contract may be entered into only if it contains an escalator clause which requires decreases in the rates to reflect a drop in the cost of rubber, rayon and cotton. Such contract may also contain an escalator clause which permits increases in the rates to reflect a rise in the cost of these commodities.

Every effort has been made to conform CPR 64 to existing business practices. Insofar as any provisions of this amendment may operate to compel changes in the business practices, such provisions are found by the Director of Price Stabilization to be necessary to prevent circumvention or evasion of the regulation.

In the formulation of this amendment there has been consultation insofar as practicable, with the industry representatives and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

Ceiling Price Regulation 64 is amended in the following respects:

1. Section 2 (a) is amended by adding a clause so that it will read as follows:

(a) If at any time during the base period, which is December 19, 1950 to January 25, 1951, you had in effect a tire mileage contract with an operator, your ceiling rate for tire mileage to that operator is the rate computed pursuant to the provisions of such contract so long as you supply tire mileage to that operator provided such contract contained an adjustment clause which requires decreases in the rates to reflect a drop in the cost of rubber, rayon and cotton. Such contract may also contain an escalator clause which permits increases in the rates to reflect a rise in the cost of these commodities.

2. Section 2 (b) is amended to read as follows:

(b) If your contract does not contain such an adjustment clause, your ceiling rate for tire mileage to that operator is the rate computed pursuant to the provisions of such contract until the expiration date of said contract or the next renegotiation date after October 31, 1951, whichever is earlier. After such date, no new tire mileage will be supplied to that operator unless it is pursuant to a contract which has been approved by the Office of Price Stabilization. The Office of Price Stabilization will approve new contracts containing such an adjustment clause, if the rates computed thereunder are in line with or less than the rates in effect during the base period, and if all other clauses in both contracts are similar.

No payments shall be made on any such new contract unless it has been approved by the Director of Price Stabilization. Within 10 days after the execution of such new contract, you are required to file a copy thereof with the Rubber Branch, Office of Price Stabilization, Washington 25, D. C., by registered mail, return receipt requested, together with a letter justifying the base rates contained therein and a copy of the contract in effect during the base period.

After you have filed your new contract and have received a return receipt, you may supply tire mileage to that operator. You may not, however, accept payment until the Director of Price Stabilization has approved your proposed ceiling rate or established a different rate as your ceiling rate, provided that if 20 days has elapsed since that date on which your contract was filed, as shown by your return receipt, and within that period, you have not received from the Director of Price Stabilization a request for further information or a notification of the disapproval of your proposed ceiling rates, those rates contained in such contract are established as your ceiling rates and you may thereafter accept payment at rates not higher than such ceiling rates until such time as the Director of Price Stabilization designates a different rate as your ceiling rate.

3. Section 3 is amended by adding a new paragraph to read as follows:

(c) No new contract will be approved which does not contain a clause which requires decreases in the rates to reflect a drop in the cost of the rubber, rayon and cotton. Such contract may contain an escalator clause which permits increases in the rates to reflect a rise in the cost of these commodities.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

NOTE: The record keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Effective date. The effective date of this amendment is October 31, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

OCTOBER 26, 1951.

[F. R. Doc. 51-13092; Filed, Oct. 26, 1951; 11:54 a. m.]

Chapter IV—Salary and Wage Stabilization, Economic Stabilization Agency

Subchapter B—Wage Stabilization Board

[Regulation 1, Amdt. 2]

CONSTRUCTION INDUSTRY STABILIZATION COMMITTEE

GWR 12, REG. 1—CONSTRUCTION INDUSTRY STABILIZATION

APPLICATIONS FOR APPROVAL

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.), Executive Order 10161 (15 F. R. 6105), Executive Order 10233 (16 F. R. 3503), General Order No. 3, Economic Stabilization Administrator (16 F. R. 739), and General Wage Regulation 12 (16 F. R. 6640), section 6 (c) (6) of Construction Industry Stabilization Commission Regulation No. 1 is hereby amended.

STATEMENT OF CONSIDERATIONS

January 15, 1950, is the normal base date for general wage stabilization purposes. However, because of the seasonal characteristics of the construction industry, wage rates negotiated in 1949 were still in effect on January 15, 1950, when the industry was between seasons. This amendment adopts as a more realistic base date for computing subsequent increases in wages for the construction industry, the period in June 1950, immediately preceding the outbreak of hostilities in Korea.

As the Construction Industry Stabilization Commission is a tripartite agency, further consultation with representatives of labor or business and industry is deemed unnecessary. Due consideration has been given to the standards and procedures set forth in Title IV and Title VII of the Defense Production Act, as amended.

AMENDATORY PROVISIONS

Section 6 (c) (6) is amended to read as follows:

SEC. 6. *Applications for approval.* * * *

(c) *Contents of application.* * * *

(6) With respect to each job classification for which a rate is proposed, a statement of the area rate and of applicant's rates prevailing on June 24, 1950 (or July 1, 1950 if higher, provided that the July 1 rate was established by a collective bargaining agreement executed prior to June 24, 1950), on July 26, 1951, and on the date of the application.

(Sec. 704, 64 Stat. 816, as amended, 50 U. S. C. App. Sup. 2154)

Adopted by the Construction Industry Stabilization Commission: October 19, 1951.

ARCHIBALD COX,
THOMAS J. KALIS,
Co-Chairman.

Approved by the Wage Stabilization Board: October 25, 1951.

NATHAN P. FEINSINGER,
Chairman.

[F. R. Doc. 51-13089; Filed, Oct. 26, 1951; 11:53 a. m.]

Chapter VI—National Production Authority, Department of Commerce

[NPA Order M-6A, Schedule 1]

M-6A—STEEL DISTRIBUTORS

SCHEDULE 1—EARMARKED STOCKS—AIRCRAFT QUALITY ALLOY STEEL PRODUCTS

This schedule is found necessary and appropriate to promote the national defense and is issued pursuant to the authority of section 101 of the Defense Production Act of 1950, as amended. In the formulation of this schedule, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations. This schedule is issued under NPA Order M-6A and is made a part of that order.

Sec.
1. What this schedule does.
2. Definitions.
3. Allotments of aircraft quality alloy steel products by producers to distributors.
4. Distributor sales.
5. Certification of orders.
6. Canadian distributor sales.
7. Communications.

AUTHORITY: Sections 1 to 7 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this schedule does.* This schedule requires steel producers to make monthly shipments of aircraft quality alloy steel products to steel distributors on the basis set out herein. It restricts sales of aircraft quality alloy steel products by steel distributors.

SEC. 2. *Definitions.* All definitions contained in NPA Order M-6A, except the definition of "base period," are applicable to this schedule. For the purposes of this schedule, "base period" means the period commencing April 1, 1951, and ending June 30, 1951.

SEC. 3. *Allotments of aircraft quality alloy steel products by producers to distributors.* Each steel producer is hereby required to accept purchase orders from his steel distributor customers for shipments of aircraft quality alloy steel products in January 1952, and in each succeeding month up to a minimum of not less than 100 percent of the base tonnage of each aircraft quality alloy steel product shipped to each steel distributor customer during the base period.

SEC. 4. *Distributor sales.* No steel distributor (except steel distributors located in the Dominion of Canada) shall deliver, nor shall any person accept delivery of, any aircraft quality alloy steel products unless:

(a) Such aircraft quality alloy steel product is required by specification and will be incorporated into aircraft, guided missiles, or airborne equipment, in connection with the development, production, repair, or maintenance thereof; or

(b) Such aircraft quality alloy steel product is required under a program bearing the allotment symbol E-2.

SEC. 5. *Certification of orders.* Any person placing an order for an aircraft quality alloy steel product with a steel distributor located in the United States shall endorse on his purchase order, or deliver with such purchase order, the following certification which shall be signed as provided in section 8 of NPA Reg. 2:

Certified under Schedule 1 to NPA Order M-6A

This certification constitutes a representation by the purchaser to the steel distributor and to NPA that the purchase order so certified calls for delivery of an aircraft quality alloy steel product to be used only as permitted in section 4 of this schedule.

SEC. 6. *Canadian distributor sales.* Sales of aircraft quality alloy steel products will be made by Canadian steel distributors pursuant to instructions issued by the Canadian Government through its Department of Defence Production.

SEC. 7. *Communications.* All communications concerning this schedule shall be addressed to the National Production Authority, Washington 25, D. C., Ref: M-6A, Schedule 1.

This schedule shall take effect on October 26, 1951.

NATIONAL PRODUCTION AUTHORITY,
By JOHN B. OLVERSON,
Recording Secretary.

[F. R. Doc. 51-13084; Filed, Oct. 26, 1951; 11:27 a. m.]

Chapter XVII—Housing and Home Finance Agency

[CR 3, Appendix 1]

CR 3—RELAXATION OF RESIDENTIAL CREDIT CONTROLS: REGULATION GOVERNING PROCESSING AND APPROVAL OF EXCEPTIONS AND TERMS FOR CRITICAL DEFENSE HOUSING AREAS

APP. 1—CRITICAL DEFENSE HOUSING AREAS

Appendix 1 to CR 3, Relaxation of Residential Credit Controls: Regulation Governing Processing and Approval of Exceptions and Terms for Critical Defense Housing Areas, issued at 16 F. R. 7611 (August 3, 1951) and last amended at 16 F. R. 10161 (October 5, 1951) is hereby amended to read as follows:

APPENDIX 1 TO CR 3—CRITICAL DEFENSE HOUSING AREAS [1]

Critical Defense Housing Area, State, and Date Designated

1. San Diego, Calif., May 2, 1951.
2. Corona, Calif., May 8, 1951.
3. Colorado Springs, Colo., May 8, 1951.
4. Star Lake, N. Y., May 23, 1951.
5. Fort Leonard Wood Area, Mo., May 23, 1951.
6. Camp Cooke Area, Calif., June 8, 1951.
7. Bremerton, Wash., June 8, 1951.
8. San Marcos, Tex., June 8, 1951.
9. Valdosta, Ga., June 20, 1951.
10. Tullahoma, Tenn., June 20, 1951.
11. Camp Pendleton Area, Calif., June 20, 1951.
12. Solano County, Calif., June 29, 1951.
13. Quad Cities Area,[2] Iowa-Ill., June 29, 1951.
14. Hanford AEC Operations Area, Wash., July 3, 1951.
15. Barstow, Calif., July 3, 1951.
16. Camp Roberts Area, Calif., July 3, 1951.
17. Brazoria County, Tex., July 3, 1951.
18. Tooele, Utah, July 3, 1951.
19. Dana, Ind., July 13, 1951.
20. El Centro-Imperial Area, Calif., July 13, 1951.
21. Borger, Tex., July 13, 1951.
22. Huntsville, Ala., July 13, 1951.
23. Mineral Wells, Tex., July 17, 1951.
24. Las Cruces, N. Mex., July 17, 1951.
25. Alamogordo, N. Mex., July 17, 1951.
26. Wichita, Kans., July 25, 1951.
27. Columbus, Ind., July 25, 1951.
28. Lone Star, Tex., August 3, 1951.
29. Camp Lejeune-Jacksonville Area, N. C., August 3, 1951.
30. Killeen-Fort Hood Area, Tex., August 3, 1951.
31. Dover, Del., August 3, 1951.
32. Patuxent, Md., August 3, 1951.
33. Othello, Wash., August 11, 1951.
34. Sampson Air Force Base Area, N. Y., August 11, 1951.
35. Norfolk-Portsmouth Area, Va., August 11, 1951.
36. Wright-Patterson Air Force Base Area, Ohio, August 11, 1951.
37. Lancaster-Palmdale-Mojave Area, Calif., August 11, 1951.
38. Bucks County, Pa., October 3, 1951.
39. Indianapolis, Ind., October 3, 1951.
40. Sanford, Fla., October 3, 1951.
41. Sidney, Nebr., October 3, 1951.
42. Kingsville, Tex., October 3, 1951.
43. Wichita Falls, Tex., October 3, 1951.
44. Presque Isle-Limestone, Me., October 3, 1951.
45. Newport News, Va., October 3, 1951.
46. Hartford, Conn., October 23, 1951.
47. Camp Pickett, Va., October 23, 1951.
48. Camp Polk, La., October 23, 1951.
49. Camp Breckenridge, Ky., October 23, 1951.
50. Fort Dix, N. J., October 23, 1951.
51. Camp Rucker, Ala., October 23, 1951.
52. Topeka, Kans., October 23, 1951.
53. Benton, Ark., October 23, 1951.
54. Cocoa-Melbourne Area, Fla., October 23, 1951.
55. Babbitt, Minn., October 23, 1951.
56. Lorain, Ohio, October 23, 1951.

RAYMOND M. FOLEY,
Housing, Home Finance Administrator.

[F. R. Doc. 51-12915; Filed, Oct. 26, 1951; 8:53 a. m.]

[1] These areas are in addition to three areas of Atomic Energy Commission installations in which exceptions from residential credit restrictions are issued pursuant to CR 2 of the Housing and Home Finance Agency.

[2] Area of Davenport, Iowa; and Moline, East Moline, and Rock Island, Ill.

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

[Circular 1801]

PART 254—RECREATIONAL SITES

PAYMENTS FOR LANDS CLASSIFIED AS SUBJECT TO SALE OR LEASE

Section 254.7 (b) is amended to read:

(b) The amount of the purchase price for sales and annual rental for leases shall be fixed by the Director. Payment in installments of the purchase price for sales, with or without interest on the deferred payments, may be authorized by the Director where in his opinion the amount involved and the conditions sur-

rounding the sale justify such action. Upon classification of the land for sale or lease, the applicant will be called upon to make payment of the amount required. Publication of notice of applications to purchase, and of State exchanges, will be required in accordance with the practice governing sales of public lands and State indemnity selections, respectively. So far as applicable, the general regulations of the Department relating to the execution of contracts will be followed in the preparation of leases issued. Any revested lands leased for recreational purposes shall thereafter be exempt from any further claim by the county wherein such leased lands are located for payment of moneys, the equivalent of taxes, as authorized under the acts of August 28, 1937 (50 Stat. 874), and May 24, 1939 (53 Stat. 753). During the existence of any such lease, the timber on the land will not be sold.

(44 Stat. 741, 45 Stat. 429; 43 U. S. C. 869, 869a)

OSCAR L. CHAPMAN,
Secretary of the Interior.

OCTOBER 22, 1951.

[F. R. Doc. 51-12877; Filed, Oct. 26, 1951; 8:45 a. m.]

Appendix—Public Land Orders

[Public Land Order 758]

CALIFORNIA

RESERVING CERTAIN PUBLIC LANDS IN CONNECTION WITH MADELINE PLAINS WATERFOWL MANAGEMENT AREA

Whereas the act of September 2, 1937, 50 Stat. 917 (16 U. S. C., 669–669j), provides for Federal aid to States in wildlife-restoration projects; and

Whereas the State of California has established a Federal-aid wildlife-restoration project, and has acquired title to certain lands in Lassen County which are to be administered by the State of California through its Division of Fish and Game as the Madeline Plains Waterfowl Management Area; and

Whereas certain public lands within the product possess wildlife value and could be administered advantageously in connection with the Madeline Plains Waterfowl Management Area; and

Whereas the act of March 10, 1934, as amended by the act of August 14, 1946, 48 Stat. 401, 60 Stat. 1080 (16 U. S. C. 661–666c), provides for cooperation with Federal, State, and other agencies in developing a nation-wide program of wildlife conservation and rehabilitation:

Now, therefore, by virtue of the authority vested in the President, and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the following-described public lands in Lassen County, California, are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws but not the mineral-leasing laws, and reserved under the jurisdiction of the Department of the Interior for use by the Division of Fish and Game of the State of California in connection with the Madeline Plains Waterfowl Management Area, under such conditions as may be prescribed by the Secretary of the Interior:

MOUNT DIABLO MERIDIAN

T. 37 N., R. 13 E.,
Sec. 29, SW¼, W½SE¼ and SE¼SE¼;
Sec. 30, NE¼ and N½SE¼;
Sec. 32, N½NE¼ and NE¼NW¼.

The areas described aggregate 640.00 acres.

This order shall take precedence over but shall not otherwise affect the order of April 8, 1935, of the Secretary of the Interior establishing California Grazing District No. 2.

OSCAR L. CHAPMAN,
Secretary of the Interior.

OCTOBER 22, 1951.

[F. R. Doc. 51-12879; Filed, Oct. 26, 1951; 8:45 a. m.]

[Public Land Order 759]

CALIFORNIA

RESERVING CERTAIN PUBLIC LANDS IN CONNECTION WITH HONEY LAKE WATERFOWL MANAGEMENT AREA

Whereas the act of September 2, 1937, 50 Stat. 917 (16 U. S. C. 669–669j), provides for Federal aid to States in wildlife-restoration projects; and

Whereas the State of California has established a Federal-aid wildlife-restoration project, and has acquired title to certain lands in Lassen County which are to be administered by the State of California through its Division of Fish and Game as the Honey Lake Waterfowl Management Area; and

Whereas certain public lands of the United States within the project possess wildlife value and could be administered advantageously in conection with the Honey Lake Waterfowl Management Area; and

Whereas the act of March 10, 1934, as amended by the act of August 14, 1946, 48 Stat. 401, 60 Stat. 1080 (16 U. S. C. 661–666c), authorizes the Secretary of the Interior to cooperate with Federal, State, and other agencies in developing a nation-wide program of wildlife conservation and rehabilitation:

Now, therefore, by virtue of the authority vested in the President, and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the following-described public lands in Lassen County, California, are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws but not the mineral-leasing laws, and reserved under the jurisdiction of the Department of the Interior for use by the Division of Fish and Game of the State of California in connection with the Honey Lake Waterfowl Management Area, under such conditions as may be prescribed by the Secretary of the Interior:

MOUNT DIABLO MERIDIAN

T. 28 N., R. 14 E.,
Sec. 3, W½;
Sec. 4, SE¼SE¼;
Sec. 11, SE¼;
Sec. 12, SE¼.

The areas described aggregate 673.65 acres.

This order shall take precedence over but shall not otherwise affect the order of April 8, 1935, of the Secretary of the Interior establishing California Grazing District No. 2, so far as it affects the above-described lands.

OSCAR L. CHAPMAN,
Secretary of the Interior.

OCTOBER 22, 1951.

[F. R. Doc. 51-12881; Filed, Oct. 26, 1951; 8:46 a. m.]

[Public Land Order 760]

UTAH

WITHDRAWING PUBLIC LANDS AND RESERVED MINERALS IN PATENTED LANDS FOR USE OF THE UNITED STATES ATOMIC ENERGY COMMISSION

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

The public lands and the minerals reserved to the United States in patented lands in the following-described areas in Utah are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining but not the mineral-leasing laws, and reserved for the use of the United States Atomic Energy Commission:

SALT LAKE MERIDIAN

T. 31 S., R. 11 E.,
Secs. 10 to 15, inclusive, secs. 22 to 27, inclusive, and secs. 34, 35, and 36.
T. 32 S., R. 11 E., unsurveyed,
Secs. 1, 2, and 3, secs. 10 to 15, inclusive, secs. 22 to 27, inclusive, and secs. 34, 35, and 36.
T. 33 S., R. 11 E.,
Secs. 1, 2, 3, 10, 11, and 12.
T. 31 S., R. 12 E.,
Secs. 7, 18, 19, 30, and 31.
T. 32 S., R. 12 E.,
Secs. 5 to 8, inclusive, secs. 17 to 20, inclusive, and secs. 29 to 32, inclusive.
T. 33 S., R. 12 E.,
Secs. 5 to 8, inclusive.

The areas described, including both public and nonpublic lands, aggregate approximately 38,194.94 acres.

Any tract or tracts of land within the above-described areas to which valid claims have attached under the public-land laws prior to the date of this order, are excluded from the reservation hereby made: *Provided, however,* That upon the abandonment or extinguishment of such claims for any cause, the reservation shall immediately become effective as to such tract or tracts and the minerals therein.

The reservation made by this order shall be subject to existing withdrawals affecting any of the lands.

OSCAR L. CHAPMAN,
Secretary of the Interior.

OCTOBER 22, 1951.

[F. R. Doc. 51-12883; Filed, Oct. 26, 1951; 8:46 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Commodity Exchange Authority

[17 CFR Part 5]

REGULATIONS UNDER COMMODITY EXCHANGE ACT

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given, pursuant to section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1003), that the Secretary of Agriculture is considering the issuance of regulations under the Commodity Exchange Act, to be designated §§ 5.16 to 5.19, inclusive, of Part 5, Chapter I, Title 17, Code of Federal Regulations (17 CFR Part 5), and the amendment of § 5.21 thereof (17 CFR 5.21), to read as follows:

§ 5.16 *Merchandisers, processors, and dealers holding or controlling open contracts of specified size to report weekly on Form 504.* Every person who is engaged in merchandising, processing, or dealing in, eggs or egg products and who holds or controls open contracts in any one egg future on any contract market which equal or exceed the amount fixed in § 5.21, shall report to the Commodity Exchange Authority on Form 504, which report shall be rendered as of the close of business on Friday of each week unless otherwise authorized in writing by the Commodity Exchange Authority upon good cause shown.

§ 5.17 *Information shown in reports on Form 504.* Reports made by any person on Form 504 shall be prepared in accordance with the instructions appearing on Form 504 and shall contain the following information:

(a) The make-up of the cash-egg position of such person in shell eggs and egg products (shell egg equivalent) showing:

(1) The amount of stocks owned,

(2) Unfilled fixed-price purchase commitments, and

(3) Unfilled fixed-price sales commitments;

(b) The amount of the net long or net short cash-egg position of such person; and

(c) The amount of open contracts held by such person in all egg futures on all boards of trade (exchanges) in the United States and elsewhere.

§ 5.18 *Cash-egg position; how determined.* In determining the cash-egg position of any person reporting on Form 504, such person shall use such standards and such conversion factors as are usual and common to the business in which he is engaged. If, in determining the cash-egg position of such person for hedging purposes, it be his practice regularly to exclude certain products, such products shall be excluded in reporting such cash-egg position on Form 504.

Such person shall upon request furnish the Commodity Exchange Authority with detailed information concerning the kind and amount of each product included in computing his cash-egg position and the conversion factor used for each such product.

§ 5.19 *Time of filing reports on Form 504.* Unless otherwise authorized in writing by the Commodity Exchange Authority upon good cause shown, reports required on Form 504 shall be filed with the Commodity Exchange Authority not later than the next business day following the day covered by the report: *Provided*, That reports may be transmitted by mail in accordance with instructions furnished by the Commodity Exchange Authority. Reports received by mail will be considered duly filed if postmarked not later than midnight of the last day allowed for filing.

§ 5.21 *Amount fixed for reporting on Forms 503 and 504.* For the purpose of §§ 5.10, 5.14, and 5.16, the amount fixed by the Secretary of Agriculture, under authority of section 4i (2) of the Commodity Exchange Act, for reporting on Form 503 and Form 504 is 25 carlots.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed regulations shall file the same with the Administrator, Commodity Exchange Authority, United States Department of Agriculture, Washington 25, D. C., not later than 5:30 p. m., e. s. t., on the 15th day after the publication of this notice in the FEDERAL REGISTER.

Issued this 23d day of October 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-12891; Filed, Oct. 26, 1951; 8:49 a. m.]

Production and Marketing Administration

[7 CFR Part 945]

[Docket No. AO-231]

HANDLING OF MILK IN WICHITA FALLS, TEXAS, MARKETING AREA

FINDINGS AND DETERMINATIONS ON RESULTS OF REFERENDUM ON PROPOSED MARKETING ORDER

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Dallas, Texas, on January 31–February 20, 1951, pursuant to notice thereof which was published in the FEDERAL REGISTER (15 F. R. 9522), upon a proposed marketing agreement and a proposed order regulating the handling of milk in the Wichita Falls, Texas, marketing area. The recommended decision of the Assistant Administrator, Production and Marketing Administration, issued on May 11, 1951, and the decision of the Acting Secretary of Agriculture issued on July 17, 1951, setting forth a proposed marketing agreement and a proposed order as the appropriate and detailed means for effectuating the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, were published in the FEDERAL REGISTER on May 16, 1951 (16 F. R. 4568), and July 20, 1951 (16 F. R. 7029), respectively. A referendum was held on October 4, 1951, pursuant to an order issued by the Secretary of Agriculture on August 20, 1951 (16 F. R. 8481), and an amendment thereto issued by the Secretary on September 20, 1951 (16 F. R. 9698), directing that a referendum be conducted among producers to determine whether the requisite percentage of such producers favor the issuance of the proposed order.

It is hereby found and determined on the basis of the results of the referendum conducted pursuant to the aforesaid referendum order that issuance of the proposed order regulating the handling of milk in the Wichita Falls, Texas, marketing area is not favored by the requisite percentage voting in the aforesaid referendum.

It is hereby further determined that the proposed order regulating the handling of milk in the Wichita Falls, Texas, marketing area as set forth in the Acting Secretary's decision of July 17, 1951 (16 F. R. 7029) will not be issued or made effective because of the failure of producers to approve or favor by the requisite percentage of producers voting in the referendum conducted among such producers.

Done at Washington, D. C., this 23d day of October 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-12929; Filed, Oct. 26, 1951; 8:55 a. m.]

[7 CFR Part 989]

HANDLING OF RAISINS PRODUCED FROM RAISIN VARIETY GRAPES GROWN IN CALIFORNIA

TERMINATION OF SUSPENSION OF CERTAIN PROVISIONS; REPORTS AND RECORDS

Notice is hereby given that the Secretary of Agriculture is considering a proposed rule to terminate the suspension of the provisions appearing in the first two sentences of § 989.5 (b) of the marketing agreement and order (7 CFR Part 989) regulating the handling of raisins produced from raisin variety grapes grown in California; effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), hereinafter referred to as the "act". The said provisions were suspended on December 13, 1950 (15 F. R. 8815), and are as follows: "Each handler shall file with the committee a certified report, for each week, showing, with respect to his acquisitions of each varietal type of raisins during the particular week covered by such report: (1)

The total quantity acquired; (2) the reserve and surplus tonnages, separately, referable to his acquisitions of raisins; (3) the locations of such reserve and surplus tonnages; and (4) cumulative totals of such acquisitions from the beginning of the then current crop year to and including the end of the week for which the report is made. Each such weekly report shall be filed not later than Wednesday of the week following the week which is covered by such report."

The aforementioned suspension action was taken because it was found and determined that the provisions appearing in the first two sentences of § 989.5 (b) of the said marketing agreement and order did not then tend to effectuate the declared policy of the act, in that the 1950–51 season average price to producers for raisins was expected to be in excess of the price level specified in section 2 (1) of the act and no reserve or surplus percentages were established for the 1950–51 crop year. In that situation, it was unnecessary to require, in accordance with the provisions of the first two sentences of § 989.5 (b) of the marketing agreement and order, that weekly reports be filed. On the basis of current information, it has been found that the estimated 1951–52 season average price to producers for raisins will not be in excess of the price level specified in section 2 (1) of the act, and reserve and surplus percentages have been designated for the 1951–52 crop year. For the proper and effective operation of this program when reserve or surplus percentages are in effect, it is necessary that weekly reports concerning the acquisition of raisins be filed by handlers.

Consideration will be given to any date, views, or arguments pertaining hereto which are filed in triplicate with the Director, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., and received not later than the close of business on the fifth day after the date of the publication of this notice in the FEDERAL REGISTER, except that, if said fifth day after publication should fall on a legal holiday, Saturday, or Sunday, such submission will be received by the Director not later than the close of business on the next following business day.

Issued at Washington, D. C., this 24th day of October 1951.

[SEAL] S. R. SMITH,
Director,
Fruit and Vegetable Branch.

[F. R. Doc. 51–12923; Filed, Oct. 26, 1951; 8:53 a. m.]

[7 CFR Part 989]

HANDLING OF RAISINS PRODUCED FROM RAISIN VARIETY GRAPES GROWN IN CALIFORNIA

APPROVAL OF BUDGET OF EXPENSES OF RAISIN ADMINISTRATIVE COMMITTEE AND FIXING RATE OF ASSESSMENT FOR 1951–52 CROP YEAR

Notice is hereby given that the Secretary of Agriculture is considering a proposed rule to approve a budget of expenses for the Raisin Administrative Committee for the 1951–52 crop year and fix a rate of assessment for such year, as hereinafter set forth, which were recommended by said committee in accordance with the provisions of Marketing Agreement No. 109 and Order No. 89 (7 CFR Part 989) regulating the handling of raisins produced from raisin variety grapes grown in California, effective under the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.).

Consideration will be given to any data, views, or arguments pertaining thereto which are filed in triplicate with the Director, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., and received not later than the close of business on the eighth day after the date of publication of this notice in the FEDERAL REGISTER except that, if said eighth day after publication should fall on a legal holiday, Saturday, or Sunday, such submission will be received by the Director not later than the close of business on the next following business day.

It will, of course, be necessary that all salaries and wages paid by the Raisin Administrative Committee be in conformity with the provisions of the Defense Production Act of 1950, as amended, Executive Order No. 10161, and any supplementary order, directive, or regulation pursuant thereto.

The proposed rule is as follows:

§ 989.302 *Budget of expenses and rate of assessment*—(a) *Budget of expenses of the Raisin Administrative Committee for the 1951–52 crop year.* Expenses in the amount of $60,000 are reasonable and are likely to be incurred by the Raisin Administrative Committee for its maintenance and functioning and for the maintenance and functioning of the Raisin Advisory Board for the crop year beginning August 15, 1951.

(b) *Rate of assessment for the 1951–52 crop year.* Each handler shall pay to the Raisin Administrative Committee, in accordance with the marketing agreement and order, an assessment rate of 40 cents for each ton of free tonnage raisins acquired by him, and for each ton of reserve tonnage raisins sold to him by the committee, during the crop year beginning August 15, 1951, which assessment rate is hereby fixed as each handler's pro rata share of the aforesaid expenses.

Issued at Washington, D. C., this 23d day of October 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51–12896; Filed, Oct. 26, 1951; 8:50 a. m.]

[7 CFR Part 994]

HANDLING OF PECANS GROWN IN GEORGIA, ALABAMA, FLORIDA, MISSISSIPPI AND SOUTH CAROLINA

EXPENSES OF PECAN ADMINISTRATIVE COMMITTEE AND RATE OF ASSESSMENT FOR FISCAL PERIOD BEGINNING OCTOBER 1, 1951

Consideration is being given to the following proposals submitted by the Pecan Administrative Committee established under Marketing Agreement No. 111 and Order No. 94 (7 CFR Part 994), regulating the handling of pecans grown in Georgia, Alabama, Florida, Mississippi, and South Carolina, as the agency to administer the terms and provisions thereof:

(1) That the Secretary of Agriculture find that expenses not to exceed $30,800 are reasonable and likely to be incurred, during the fiscal period beginning October 1, 1951, by the Pecan Administrative Committee for its maintenance and functioning and for such other purposes as the Secretary may, pursuant to the provisions of the marketing agreement and order, determine to be appropriate; and

(2) That the Secretary of Agriculture determine that the pro rata share of such expenses, which each handler who first handles unshelled pecans shall pay in accordance with the applicable provisions of the aforesaid marketing agreement and order during said fiscal period, be 22 cents per hundred pounds of unshelled pecans handled by him as the first handler thereof during said fiscal period.

Notwithstanding the approval of the aforesaid expenses, none of such funds may be used to pay any wage or salary that is inconsistent with the Defense Production Act of 1950, as amended, Executive Order No. 10161, or any supplementary order, directive or regulation pursuant thereto.

In making the foregoing recommendation, the Committee, at a duly called meeting in Albany, Georgia on September 25, 1951, took into consideration its estimate that 14,000,000 pounds of assessable unshelled pecans will be handled for distribution as unshelled pecans. The proposed rate of assessment of 22 cents per hundred pounds of unshelled pecans, when applied to the estimated quantity which will be handled, will provide sufficient funds to cover the proposed expenses, and such expenses and rate of assessment appears to be reasonable. During the preceding fiscal period assessments were at the rate of 25 cents per hundred pounds of unshelled pecans.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposals, should submit the same to the Director, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., not later than the 10th day after publication thereof in the FEDERAL REGISTER.

Terms used herein shall have the same meaning as when used in the marketing agreement and order.

(48 Stat. 31, as amended; 7 U. S. C. 601 et seq.).

Done at Washington, D. C., this 24th day of October 1951.

[SEAL] M. W. BAKER,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51-12926; Filed, Oct. 26, 1951; 8:54 a. m.]

DEPARTMENT OF LABOR

Division of Public Contracts

PHOTOGRAPHIC AND BLUEPRINTING EQUIPMENT AND SUPPLIES INDUSTRY

NOTICE OF HEARING ON PREVAILING MINIMUM WAGE

The Secretary of Labor, in a prevailing minimum wage determination issued pursuant to the provisions of the Walsh-Healey Public Contracts Act (act of June 30, 1936, 49 Stat. 2036, 41 U. S. C. secs. 35–45) and dated January 25, 1950 (15 F. R. 382) determined that the minimum wage for persons employed in the performance of contracts with agencies of the United States Government subject to the act for the manufacture or furnishing of the products of the photographic supplies industry shall be not less than 75 cents an hour. This amended determination was based upon information indicating that substantially all employees in the photographic supplies industry are engaged in commerce or in the production of goods for commerce, as defined in the Fair Labor Standards Act, and that as a consequence the Fair Labor Standards Amendments of 1949 require payment of a wage rate of not less than 75 cents per hour to substantially all employees in the industry. This amended determination also provides that learners and handicapped workers may be employed at subminimum rates in accordance with regulations of the Administrator of the Wage and Hour Division of the Department of Labor under section 14 of the Fair Labor Standards Act (29 CFR Parts 522, 524, 525).

A wage survey of selected photographic and blueprinting equipment establishments made by the Bureau of Labor Satistics as of April and May, 1951, indicates that the 75 cent rate now in effect may not reflect the prevailing minimum wages in the industry; and it is proposed, therefore, to hold a hearing for the purpose of consideration by the Secretary of Labor of an amendment of the current determination.

The photographic supplies industry is defined in the current determination as follows:

(1) The photographic supplies branch of the photographic supplies industry is defined as that industry which manufactures or furnishes any of the following products: Cameras, including motion-picture cameras (except 35 millimeter); photostat and blueprint machines; tripods, film rewinders, and reels, shutters, and other photographic accessories (except 35 millimeter); such equipment as flashlight apparatus, plate holders, developing apparatus; supplies such as films, photographic paper, and plates; and projectors of all types (except 35 millimeter).

(2) The blueprint paper coating branch of the photographic supplies industry is defined as that industry which manufactures or furnishes any of the following products: Blueprint, brownprint, blackprint, black-line and other similarly sensitized papers and cloths.

Now, therefore, notice is hereby given that a public hearing will be held on November 28, 1951 at 10:00 a. m. in Room 1214, Department of Labor, Constitution Avenue and Fourteenth Street, Northwest, Washington, D. C., before the Administrator of the Wage and Hour and Public Contracts Divisions or a representative designated to preside in his place, at which hearing all interested persons may appear and submit data, views and arguments (1) as to what are the prevailing minimum wages in the photographic and blueprinting equipment and supplies industry; (2) as to the adequacy of the following definition: The photographic and blue printing equipment and supplies industry, for the purpose of this hearing, is defined as that industry which manufactures or furnishes products such as, but not limited to, the following:

A. Photographic apparatus and equipment such as still cameras, motion picture cameras projection apparatus, photographic lenses, shutters, photocopy and microfilm machines, developing tanks and machines, enlargers, plate and film holders, tripods, film reels, and picture projection screens; photographic supplies such as sensitized film, paper and plates; and prepared photographic developers, toners, and fixers. Expressly excluded are photographs or photographic reproductions of any kind, photographic exposure meters and photographic light bulbs.

B. Blueprint machines and other apparatus and equipment used in blueprinting, whiteprinting, and related processes employed in the reproduction of plans, maps, charts, specifications, and similar drawn, written, or printed material; sensitized blueprint paper and cloth and other similarly sensitized papers and cloths, and specially prepared developing solutions intended for use with such sensitized papers and cloths; but not including the manufacture of blueprints; and

(3) As to whether there should be included in any amended determination for this industry provision for employment of learners, probationary workers, or apprentices at subminimum rates, and if so, in what occupations, at what subminimum rates, and with what limitations, if any, as to length of period and number or proportion of such subminimum rate employees.

Persons intending to appear are requested to notify the Administrator of their intention in advance of the hearing.

Written statements in lieu of personal appearance may be filed by mail at any time prior to the date of the hearing, or may be filed with the presiding officer at the hearing. An original and four copies of any such statement should be filed.

Tabulations of wage data released by the Bureau of Labor Statistics on October 31, 1951, as well as other tabulations prepared by that Bureau at the request of the Wage and Hour and Public Contracts Divisions will be made available to interested persons upon request to the Wage and Hour and Public Contracts Divisions, United States Department of Labor, Washington, D. C. Interested persons are invited to submit wage data, including data as to changes which have taken place in the wage structure of the industry since the time of the survey.

In the discretion of the Presiding Officer, a period of not to exceed 30 days from the close of the hearing may be allowed for the filing of comment on the evidence and statements introduced into the record of the hearing. In the event such supplemental statements are received an original and four copies of each such statement should be filed.

Signed at Washington, D. C., this 24th day of October 1951.

WM. R. MCCOMB,
Administrator, Wage and Hour Division.

[F. R. Doc. 51-12913; Filed, Oct. 26, 1951; 8:52 a. m.]

NOTICES

POST OFFICE DEPARTMENT

UNITED NATIONS POSTAL ADMINISTRATION

Beginning at 12:01 a. m., October 24, 1951, "United Nations Day", the Postal Agreement between the United States of America and the United Nations will become operative.

United Nations postage stamps will be used on all articles of mail matter deposited at the post office in the United Nations Headquarters, New York. United Nations postage stamps will be valid for postage only on mail deposited at the United Nations Post Office Station. Should any articles of mail matter with United Nations stamps affixed thereto be deposited at any United States post office, including those in our possessions and territories, they will be considered as unpaid and treated in accordance with the existing regulations.

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 51-12886; Filed, Oct. 26, 1951; 8:48 a. m.]

DEPARTMENT OF THE TREASURY

Bureau of Customs

[465.232]

TARIFF CLASSIFICATION

COLORED BALLS RESEMBLING TABLE TENNIS BALLS

OCTOBER 23, 1951.

In the FEDERAL REGISTER of August 24, 1951 (16 F. R. 8553), notice was given of prospective classification of colored balls resembling table-tennis balls as parts of toys. The Bureau, by letter to the Collector of Customs, New York, New York, dated September 27, 1951, ruled that colored balls chiefly used as ammunition for toy shooting guns and games, of the approximate size and construction of the pale colored regulation table-tennis balls, and not designed primarily for use in physical exercise are classifiable as parts of toys under paragraph 1513, Tariff Act of 1930, at the rate of 70 percent ad valorem (50 percent ad valorem effective October 1, 1951), or at the rate of 1 cent each and 50 percent ad valorem if composed wholly or in chief value of any product provided for in paragraph 31 of the Tariff Act, and not under paragraph 1502, as modified, as table-tennis balls at 20 percent ad valorem.

This decision will be effective as to such or similar merchandise entered for consumption or withdrawn from warehouse for consumption on or after 30 days after the date of publication of the abstract of this decision in a forthcoming issue of the weekly Treasury Decisions (19 CFR 16.10 (a)).

[SEAL] D. B. STRUBINGER,
Acting Commissioner of Customs.

[F. R. Doc. 51–12997; Filed, Oct. 26, 1951; 8:56 a. m.]

Fiscal Service, Bureau of Accounts

[Dept. Circ. 570, Rev. Apr. 20, 1943, 1950, 69th Supp.]

CAPITAL INDEMNITY INSURANCE CO.

SURETY COMPANY ACCEPTABLE ON FEDERAL BONDS

OCTOBER 23, 1951.

A Certificate of Authority has been issued by the Secretary of the Treasury to the above company under the Act of Congress approved July 30, 1947, 6 U. S. C. secs. 6–13, as an acceptable surety on Federal bonds. An underwriting limitation of $46,000.00 has been established for the company. Further details as to the extent and localities with respect to which the company is acceptable as surety on Federal bonds will appear in the next issue of Treasury Department Form 356, copies of which, when issued, may be obtained from the Treasury Department, Bureau of Accounts, Section of Surety Bonds, Washington 25, D. C.

[SEAL] E. H. FOLEY,
Acting Secretary of the Treasury.

[F. R. Doc. 51–12995; Filed, Oct. 26, 1951; 8:55 a. m.]

[Dept. Circ. 570, Rev. Apr. 20, 1943, 1951, 70th Supp.]

ST. PAUL FIRE AND MARINE INSURANCE CO.

SURETY COMPANY ACCEPTABLE ON FEDERAL BONDS

OCTOBER 23, 1951.

A Certificate of Authority has been issued by the Secretary of the Treasury to the above company under the act of Congress approved July 30, 1947 (6 U. S. C. secs. 6–13), as an acceptable surety on Federal bonds. An underwriting limitation of $5,572,000.00 has been established for the company. Further details as to the extent and localities with respect to which the company is acceptable as surety on Federal bonds will appear in the next issue of Treasury Department Form 356, copies of which, when issued, may be obtained from the Treasury Department, Bureau of Accounts, Section of Surety Bonds, Washington 25, D. C.

[SEAL] E. H. FOLEY,
Acting Secretary of the Treasury.

[F. R. Doc. 25–12994; Filed, Oct. 26, 1951; 8:55 a. m.]

GENERAL SERVICES ADMINISTRATION

BOARD OF DIRECTORS OF TENNESSEE VALLEY AUTHORITY

DELEGATION OF AUTHORITY WITH RESPECT TO ACQUISITION OF GENERAL-PURPOSE SPACE BY LEASE

1. Pursuant to the authority vested in me by the aforesaid Plan, authority is hereby delegated to the Board of Directors of the Tennessee Valley Authority to perform all functions with respect to acquiring space in buildings by lease for use of the Tennessee Valley Authority, the assignment and reassignment of such space, and the operation, maintenance, and custody thereof. This authority shall be exercised in compliance with the provisions of General Services Administration Real Property Management Regulation No. 3, dated June 21, 1951.

2. The authority contained herein may be redelegated in accordance with section 3 (b) of the aforesaid Reorganization Plan.

3. This delegation of authority shall be effective January 1, 1951.

Dated: October 23, 1951.

RUSSELL FORBES,
Acting Administrator.

[F. R. Doc. 51–12890; Filed, Oct. 26, 1951; 8:49 a. m.]

DEPARTMENT OF AGRICULTURE

Forest Service

DEERLODGE NATIONAL FOREST

REMOVAL OF TRESPASSING HORSES

Whereas a number of horses are trespassing and grazing on the Hells Canyon Cattle and Horse Management Unit on the Whitehall Ranger District of the Deerlodge National Forest in Madison County, State of Montana; and

Whereas these horses are consuming forage needed for permitted livestock, are causing extra expense to established permittees, and are injuring national-forest lands;

Now, therefore, by virtue of the authority vested in the Secretary of Agriculture by the act of June 4, 1897 (30 Stat. 35; 16 U. S. C. 551), and the act of February 1, 1905 (33 Stat. 628, 16 U. S. C. 472), the following order is issued for the occupancy, use, protection, and administration of land as designated in the Whitehall Ranger District of the Deerlodge National Forest:

Temporary closure from livestock grazing. (a) That portion of the Deerlodge National Forest lying to the South of Table Mountain and to the South and West of the divide between Cherry Creek and Hells Canyon is hereby closed for the period May 1, 1952 to October 30, 1953, to the grazing of horses, excepting those that are lawfully grazing on or crossing land in such area pursuant to the regulations of the Secretary of Agriculture, or that are used in connection with operations authorized by such regulations, or that are used as riding, pack, or draft animals by persons traveling over such land. The area covered by this order begins at the southeast corner of Section 19, T. 2 S., R. 6 W., thence north along the forest boundary to the northeast corner of Sec. 7, T. 2 S., R. 6 W.; thence along the forest boundary to the northwest corner of Sec. 7; thence north along the forest boundary to the northwest corner of Sec. 31, T. 1 S., R. 6 W.; thence east along the forest boundary to the intersection of the forest boundary with the old road along the divide between Hells Canyon and Cherry Creek; thence northwesterly along this road and continuing on up the divide to East Peak; thence west to Table Mountain; thence south along the divide between Hells Canyon and Moose Creek to the intersection of the divide and the forest boundary; thence east along the forest boundary to the southwest corner of Sec. 34, T. 1 S., R. 7 W.; thence south and east along the forest boundary to the point of beginning.

(b) Officers of the United States Forest Service are hereby authorized to dispose of, in the most humane manner, all horses found trespassing or grazing in violation of this order.

(c) Public notice of intention to dispose of such horses shall be given by posting notices in public places or advertising in a newspaper of general circulation in the locality in which the Deerlodge National Forest is located.

Done at Washington, D. C., this 24th day of October, 1951. Witness my hand and the seal of the Department of Agriculture.

[SEAL] C. J. MCCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 51–13027; Filed, Oct. 26, 1951; 9:25 a. m.]

Rural Electrification Administration

[Administrative Order 3443]

ALLOCATION OF FUNDS FOR LOANS

AUGUST 28, 1951.

I hereby amend:

(a) Administrative Order No. 16, dated September 3, 1936, by reducing the allocation of $15,000 therein made for "Oklahoma 8C E. W. B. U." by $28.56 so that the reduced allocation shall be $14,971.44; and

(b) Administrative Order No. 290, dated September 16, 1938, by reducing the allocation of $111,500 therein made for "Oklahoma R9008D1 E. W. B. U." by $10,166.02 so that the reduced allocation shall be $101,333.98.

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12930; Filed, Oct. 26, 1951; 8:56 a. m.]

[Administrative Order 3444]

MISSOURI

LOAN ANNOUNCEMENT

AUGUST 28, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Missouri 72B Gentry	$5,477,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12931; Filed, Oct. 26, 1951; 8:56 a. m.]

[Administrative Order 3445]

MISSOURI

LOAN ANNOUNCEMENT

AUGUST 28, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Missouri 59E Cole	$1,052,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12932; Filed, Oct. 26, 1951; 8:56 a. m.]

[Administrative order 3446]

ALLOCATION OF FUNDS FOR LOANS

AUGUST 29, 1951.

Inasmuch as East Central Oklahoma Electric Cooperatives, Inc. has transferred certain of its properties and assets to Lake Region Electric Cooperative, Inc., and Lake Region Electric Cooperatives, Inc. has assumed in part the indebtedness to United States of America, of East Central Oklahoma Electric Cooperative, Inc., arising out of loans made by United States of America pursuant to the Rural Electrification Act of 1936, as amended, I hereby amend:

(a) Administrative Order No. 328, dated March 22, 1939, by changing the project designation appearing therein as "Oklahoma R9023A1 Okmulgee" in the amount of $292,000 to read "Oklahoma R9023A1 Okmulgee" in the amount of $269,816.67 and "Oklahoma 37 Wagoner (Oklahoma R9023A1 Okmulgee)" in the amount of $22,183.33;

(b) Administrative Order No. 534, dated October 30, 1940, by changing the project designation appearing therein as "Oklahoma 1023B1 Okmulgee" in the amount of $144,000 to read "Oklahoma 1023B1 Okmulgee" in the amount of $41,660.63 and "Okmulgee 37 Wagoner (Oklahoma 1023B1 Okmulgee)" in the amount of $102,339.37;

(c) Administrative Order No. 859, dated September 22, 1944, by changing the project designation appearing therein as "Oklahoma 5023C1 Okmulgee" in the amount of $147,000 to read "Oklahoma 5023C1 Okmulgee" in the amount of $17,213.17 and "Oklahoma 37 Wagoner (Oklahoma 5023C1 Okmulgee)" in the amount of $129,786.83;

(d) Administrative Order No. 1047, dated April 18, 1946, by changing the project designation appearing therein as "Oklahoma 23F Okmulgee" in the amount of $352,000 to read "Oklahoma 23F Okmulgee" in the amount of $165,636.50 and "Oklahoma 37 Wagoner (Oklahoma 23F Okmulgee)" in the amount of $186,363.50;

(e) Administrative Order No. 1424, dated January 26, 1948, by changing the project designation appearing therein as "Oklahoma 23K Okmulgee" in the amount of $435,000 to read "Oklahoma 23K Okmulgee" in the amount of $295,637.73 and "Oklahoma 37 Wagoner (Oklahoma 23K Okmulgee)" in the amount of $139,362.27; and

(f) Administrative Order No. 2164, dated June 13, 1949, by changing the project designation appearing therein as "Oklahoma 23L, M, P, R Okmulgee" in the amount of $1,675,000 to read "Oklahoma 23L, M, P, R Okmulgee" in the amount of $1,321,462.30 and "Oklahoma 37 Wagoner (Oklahoma 23L, M, P, R Okmulgee)" in the amount of $353,537.70.

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12933; Filed, Oct. 26, 1951; 8:56 a. m.]

[Administrative Order 3447]

FLORIDA

LOAN ANNOUNCEMENT

AUGUST 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Florida 35H Glades	$65,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12934; Filed, Oct. 26, 1951; 8:56 a. m.]

[Administrative Order No. 3448]

ALLOCATION OF FUNDS FOR LOANS

SEPTEMBER 13, 1951.

Inasmuch as Cuivre River Electric Cooperative, Inc. has transferred certain of its properties and assets to Grundy Electric Cooperative, Inc., and Grundy Electric Cooperative, Inc., has assumed in part the indebtedness to United States of America, of Cuivre River Electric Cooperative, Inc., arising out of loans made by United States of America pursuant to the Rural Electrification Act of 1936, as amended, I hereby amend:

(a) Administrative Order No. 950, dated August 21, 1945, by changing the project designation appearing therein as "Missouri 46057B1 Lincoln" in the amount of $383,000 to read "Missouri 46057B1 Lincoln" in the amount of $379,500 and "Missouri 44 Grundy (Missouri 46057B1 Lincoln)" in the amount of $3,500.

[SEAL] CLAUDE H. WICKARD,
Administrator.

[F. R. Doc. 51-12935; Filed, Oct. 26, 1951; 8:57 a. m.]

[Administrative Order No. 3449]

ALLOCATION OF FUNDS FOR LOANS

SEPTEMBER 13, 1951.

Inasmuch as Citizens Electric Corporation has transferred certain of its properties and assets to Black River Electric Cooperative, and Black River Electric Cooperative has assumed in part the indebtedness to United States of America, of Citizens Electric Corporation, arising out of loans made by United States of America pursuant to the Rural Electrification Act of 1936, as amended, I hereby amend:

(a) Administrative Order No. 2186, dated June 20, 1949, by changing the project designation appearing therein as "Missouri 58D, F, G Ste. Genevieve" in the amount of $1,200,000 to read "Missouri 58D, F, G Ste. Genevieve" in the amount of $1,190,649.83 and "Missouri 38 Reynolds (Missouri 58D, F, G Ste. Genevieve)" in the amount of $9,350.17.

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-12936; Filed, Oct. 26, 1951; 8:57 a. m.]

[Administrative Order No. 3450]

ALLOCATION OF FUNDS FOR LOANS

SEPTEMBER 13, 1951.

Inasmuch as East Central Oklahoma Electric Cooperative, Inc., with the con-

sent of United States of America, has assigned to Kamo Electric Cooperative, Inc., and Kamo Electric Cooperative, Inc. has accepted the assignment of certain obligations of East Central Oklahoma Electric Cooperative, Inc. to United States of America arising out of loans contracted to be made by United States of America pursuant to the Rural Electrification Act of 1936, as amended, I hereby amend:

(a) Administrative Order No. 2992, dated October 27, 1950, by changing the project designation appearing therein as "Oklahoma 23S Okmulgee" in the amount of $1,315,000 to read "Oklahoma 23S Okmulgee" in the amount of $847,000 and "Arkansas 32F Benton" in the amount of $468,000.

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-12937; Filed, Oct. 26, 1951; 8:57 a. m.]

[Administrative Order 3451]

ARIZONA

LOAN ANNOUNCEMENT

SEPTEMBER 13, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Arizona 20G Pima	$545,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-12938; Filed, Oct. 26, 1951; 8:57 a. m.]

[Administrative Order 3452]

NEW MEXICO

LOAN ANNOUNCEMENT

SEPTEMBER 13, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
New Mexico 8R Roosevelt	$310,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-12939; Filed, Oct. 26, 1951; 8:57 a. m.]

[Amendment Order 3453]

KANSAS

LOAN ANNOUNCEMENT

SEPTEMBER 13, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Kansas 28L Norton	$300,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-12940; Filed, Oct. 26, 1951; 8:57 a. m.]

[Administrative Order 3454]

TEXAS

LOAN ANNOUNCEMENT

SEPTEMBER 17, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Texas 80V Collingsworth	$85,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12941; Filed, Oct. 26, 1951; 8:57 a. m.]

[Administrative Order 3455]

GEORGIA

LOAN ANNOUNCEMENT

SEPTEMBER 17, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Georgia 97H Dooly	$50,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12942; Filed, Oct. 26, 1951; 8:57 a. m.]

[Administrative Order 3456]

OHIO

LOAN ANNOUNCEMENT

SEPTEMBER 19, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Ohio 59M Morrow	200,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12943; Filed, Oct. 26, 1951; 8:58 a. m.]

[Administrative Order 3457]

IOWA

LOAN ANNOUNCEMENT

SEPTEMBER 20, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Iowa 18E Wright	$12,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12944; Filed, Oct. 26, 1951; 8:58 a. m.]

[Administrative Order 3458]

MINNESOTA

LOAN ANNOUNCEMENT

SEPTEMBER 20, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Minnesota 57AA Ottertail	$200,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12945; Filed, Oct. 26, 1951; 8:58 a. m.]

[Administrative Order 3459]

MISSISSIPPI

LOAN ANNOUNCEMENT

SEPTEMBER 20, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Mississippi 22R Leaks	$153,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12946; Filed, Oct. 26, 1951; 8:58 a. m.]

[Administrative Order 3460]

MISSOURI

LOAN ANNOUNCEMENT

SEPTEMBER 20, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Admin-

istrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Missouri 67F Wright	$530,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12947; Filed, Oct. 26, 1951; 8:58 a. m.]

[Administrative Order 3461]

NORTH CAROLINA

LOAN ANNOUNCEMENT

SEPTEMBER 20, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
North Carolina 38L Carteret	$40,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12948; Filed, Oct. 26, 1951; 8:58 a. m.]

[Administrative Order 3462]

OHIO

LOAN ANNOUNCEMENT

SEPTEMBER 20, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Ohio 87G Wood	$175,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12949; Filed, Oct. 26, 1951; 8:58 a. m.]

[Administrative Order 3463]

OREGON

LOAN ANNOUNCEMENT

SEPTEMBER 20, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Oregon 2P Lane	$280,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12950; Filed, Oct. 26, 1951; 8:58 a. m.]

[Administrative Order 3464]

KENTUCKY

LOAN ANNOUNCEMENT

SEPTEMBER 25, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Kentucky 35W Warren	$50,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12951; Filed, Oct. 26, 1951; 8:58 a. m.]

[Administrative Order 3465]

MAINE

LOAN ANNOUNCEMENT

SEPTEMBER 25, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Maine 8H Aroostook	$10,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12952; Filed, Oct. 26, 1951; 8:58 a. m.]

[Administrative Order 3466]

KANSAS

LOAN ANNOUNCEMENT

SEPTEMBER 25, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Kansas 44L Grant	$230,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12953; Filed, Oct. 26, 1951; 8:59 a. m.]

[Administrative Order 3467]

KANSAS

LOAN ANNOUNCEMENT

SEPTEMBER 25, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Kansas 48G Ford	$155,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12954; Filed, Oct. 26, 1951; 8:59 a. m.]

[Administrative Order 3468]

ALLOCATION OF FUNDS FOR LOANS

SEPTEMBER 26, 1951.

Inasmuch as South Alabama Electric Cooperative has transferred certain of its properties to Covington Electric Cooperative, Inc., and Covington Electric Cooperative, Inc., has assumed in part the indebtedness to United States of America, of South Alabama Electric Cooperative, arising out of loans made by United States of America pursuant to the Rural Electrification Act of 1936, as amended, I hereby amend:

(a) Administrative Order No. 1181, dated November 26, 1946, by changing the project designation appearing therein as "Alabama 23G Pike" in the amount of $760,000 to read "Alabama 23G Pike" in the amount of $456,220.97 and "Alabama 44 Covington (Alabama 23G Pike)" in the amount of $303,779.03.

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12955; Filed, Oct. 26, 1951; 8:59 a. m.]

[Administrative Order 3469]

ALLOCATION OF FUNDS FOR LOANS

SEPTEMBER 26, 1951.

I hereby amend Administrative Order No. 1514, dated May 13, 1948, by changing paragraph "(a)" thereof to read as follows:

(a) Administrative Order No. 836, dated June 6, 1944, as amended by Administrative Order No. 919, dated June 18, 1945, by changing the project designation appearing therein as "Alabama 44 Covington (Alabama 4042A1 Montgomery)" in the amount of $376,000 to read "Alabama 44 Covington (Alabama 4042A1 Montgomery)" in the amount of $125,808.36, "Alabama 23 Pike (Alabama 44 Covington [Alabama 4042A1 Montgomery])" in the amount of $74,968.25, "Alabama 26 Barbour (Alabama 44 Covingington [Alabama 4042A1 Montgomery])" in the amount of $42,482.54, "Alabama 27 Conecuh (Alabama 44 Covington [Alabama 4042A1 Montgomery])" in the amount of $72,792.88 and "Alabama 32 Geneva (Alabama 44 Covington [Alabama 4042A1 Montgomery])" in the amount of $59,947.97.

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12956; Filed, Oct. 26, 1951; 8:59 a. m.]

[Administrative Order 3470]

MAINE

LOAN ANNOUNCEMENT

SEPTEMBER 26, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Maine 16E Swan's Island	$5,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12957; Filed, Oct. 26, 1951; 8:59 a. m.]

[Administrative Order 3471]

PENNSYLVANIA

LOAN ANNOUNCEMENT

SEPTEMBER 26, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936 as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Pennsylvania 13X Tioga	$142,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12958; Filed, Oct. 26, 1951; 8:59 a. m.]

[Administrative Order 3472]

TEXAS

LOAN ANNOUNCEMENT

SEPTEMBER 26, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Texas 67N Rains-Rockwall	$125,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12959; Filed, Oct. 26, 1951; 8:59 a. m.]

[Administrative Order 3473]

SOUTH CAROLINA

LOAN ANNOUNCEMENT

SEPTEMBER 26, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
South Carolina 37S Lexington	$125,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12960; Filed, Oct. 26, 1951; 9:00 a. m.]

[Administrative Order 3474]

INDIANA

LOAN ANNOUNCEMENT

SEPTEMBER 26, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Indiana 15N Fayette	$45,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12961; Filed, Oct. 26, 1951; 8:50 a. m.]

[Administrative Order 3475]

MINNESOTA

LOAN ANNOUNCEMENT

SEPTEMBER 28, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Minnesota 62S Wright	$145,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12962; Filed, Oct. 26, 1951; 8:50 a. m.]

[Administrative Order 3476]

PENNSYLVANIA

LOAN ANNOUNCEMENT

SEPTEMBER 28, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Pennsylvania 4T Crawford	$455,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12963; Filed, Oct. 26, 1951; 8:50 a. m.]

[Administrative Order 3477]

TEXAS

LOAN ANNOUNCEMENT

SEPTEMBER 28, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Texas 97K Childress	$80,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12964; Filed, Oct. 26, 1951; 8:51 a. m.]

[Administrative Order 3478]

VIRGINIA

LOAN ANNOUNCEMENT

SEPTEMBER 28, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Virginia 11AC Rockingham	$625,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12965; Filed, Oct. 26, 1951; 8:51 a. m.]

[Administrative Order 3479]

MISSOURI

LOAN ANNOUNCEMENT

SEPTEMBER 28, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Missouri 33AA Butler	$720,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12966; Filed, Oct. 26, 1951; 8:51 a. m.]

[Administrative Order 3480]

WISCONSIN

LOAN ANNOUNCEMENT

SEPTEMBER 28, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Wisconsin 49S Dunn	$107,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12967; Filed, Oct. 26, 1951; 8:51 a. m.]

[Administrative Order 3481]

VIRGINIA

LOAN ANNOUNCEMENT

SEPTEMBER 28, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Virginia 2P Craig	$118,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12968; Filed, Oct. 26, 1951; 8:51 a. m.]

[Administrative Order 3482]

ARKANSAS

LOAN ANNOUNCEMENT

SEPTEMBER 28, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Arkansas 33L Polk	$245,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12969; Filed, Oct. 26, 1951; 8:51 a. m.]

[Administrative Order 3483]

INDIANA

LOAN ANNOUNCEMENT

SEPTEMBER 28, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Indiana 29P Fulton	$130,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12970; Filed, Oct. 26, 1951; 8:51 a. m.]

[Administrative Order 3484]

MONTANA

LOAN ANNOUNCEMENT

SEPTEMBER 28, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Montana 15P Fergus	$260,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12971; Filed, Oct. 26, 1951; 8:52 a. m.]

[Administrative Order 3485]

OREGON

LOAN ANNOUNCEMENT

SEPTEMBER 28, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Oregon 26M Wasco	$130,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12972; Filed, Oct. 26, 1951; 8:52 a. m.]

[Administrative Order 3486]

OREGON

LOAN ANNOUNCEMENT

SEPTEMBER 28, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Oregon 39B Klamath	$220,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12973; Filed, Oct. 26, 1951; 8:52 a. m.]

[Administrative Order 3487]

WISCONSIN

LOAN ANNOUNCEMENT

SEPTEMBER 28, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Wisconsin 58N Price	$25,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12974; Filed, Oct. 26, 1951; 8:52 a. m.]

[Administrative Order 3488]

ALLOCATION OF FUNDS FOR LOANS

SEPTEMBER 29, 1951.

Pursuant to section 3 (c) of the Rural Electrification Act of 1936 and upon information and data in the files of the Rural Electrification Administration, I hereby determine that the number of farms not receiving central station electric service for each state and the number of such farms for the United States at the beginning of the current fiscal year are as set forth in the following schedule, and I hereby allot from the sum of $50,000,000, being fifty per centum of the total sum made available for the current fiscal year, the respective sums for loans in the several States as hereinafter set forth.

	Farms without central station electric service July 1, 1951	Allotment for loans during the fiscal year ending June 30, 1952
United States	858,272	$50,000,000
Alabama	50,496	2,941,725
Arizona	1,310	76,316
Arkansas	36,483	2,125,375
California	6,857	399,465
Colorado	9,973	580,993
Connecticut	1,015	59,130
Delaware	939	54,703
Florida	11,369	662,319
Georgia	43,612	2,540,686
Idaho	2,094	121,989
Illinois	19,525	1,137,460
Indiana	8,332	485,394
Iowa	8,554	498,327
Kansas	20,177	1,175,443
Kentucky	51,619	3,007,147
Louisiana	26,083	1,519,507
Maine	4,093	238,444
Maryland	4,237	246,833
Massachusetts	1,843	107,367
Michigan	3,679	214,326
Minnesota	18,377	1,070,581
Mississippi	94,046	5,478,799
Missouri	44,254	2,578,087
Montana	9,193	535,553
Nebraska	13,700	798,115
Nevada	1,203	70,083
New Hampshire	714	41,595
New Jersey	1,304	75,967
New Mexico	9,313	542,544
New York	6,814	396,960
North Carolina	46,840	2,728,739
North Dakota	16,742	975,332
Ohio	11,958	696,632
Oklahoma	42,676	2,486,158
Oregon	4,917	286,448
Pennsylvania	10,757	626,666
Rhode Island	181	10,544
South Carolina	32,891	1,916,118
South Dakota	16,898	984,420
Tennessee	42,564	2,479,633
Texas	66,299	3,862,354
Utah	2,084	121,407
Vermont	1,290	75,151
Virginia	19,011	1,107,516
Washington	4,399	256,271
West Virginia	14,629	852,236
Wisconsin	9,940	579,071
Wyoming	2,988	174,071

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-12975; Filed, Oct. 26, 1951; 8:52 a. m.]

[Administrative Order 3489]

ALASKA

LOAN ANNOUNCEMENT

OCTOBER 2, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Alaska 3F Kodiak	$350,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-12976; Filed, Oct. 26, 1951; 8:52 a. m.]

[Administrative Order 3490]

TEXAS

LOAN ANNOUNCEMENT

OCTOBER 2, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Texas 113K Dickens	$155,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-12977; Filed, Oct. 26, 1951; 8:52 a. m.]

[Administrative Order 3491]

ALASKA

LOAN ANNOUNCEMENT

OCTOBER 3, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Alaska 2M Matanuska	$1,040,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-12978; Filed, Oct. 26, 1951; 8:53 a. m.]

[Administrative Order 3492]

COLORADO

LOAN ANNOUNCEMENT

OCTOBER 5, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Colorado 16W Jefferson	$264,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-12979; Filed, Oct. 26, 1951; 8:53 a. m.]

[Administrative Order 3493]

VIRGINIA

LOAN ANNOUNCEMENT

OCTOBER 11, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Virginia 80U Bath	$480,000

[SEAL] RIGGS SHEPPERD,
Acting Administrator.

[F. R. Doc. 51-12980; Filed, Oct. 26, 1951; 8:53 a. m.]

[Administrative Order 3494]

ALLOCATION OF FUNDS FOR LOANS

OCTOBER 11, 1951.

I hereby amend:

(a) Administrative Order No. 650, dated, December 19, 1941, as amended by Administrative Order No. 894, dated April 27, 1945, by reducing the allocation of $359,000 therein made for "Washington 2045A1 Grant District Public" by $309,719.57 so that the reduced allocation shall be $49,280.43.

[SEAL] RIGGS SHEPPERD,
Acting Administrator.

[F. R. Doc. 51-12981; Filed, Oct. 26, 1951; 8:53 a. m.]

[Administrative Order 3495]

SOUTH DAKOTA

LOAN ANNOUNCEMENT

OCTOBER 17, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
South Dakota 37C Hughes	$320,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 12982; Filed, Oct. 26, 1951; 8:53 a. m.]

[Administrative Order 3496]

TEXAS

LOAN ANNOUNCEMENT

OCTOBER 17, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Texas 145G Dallas	$90,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 12983; Filed, Oct. 26, 1951; 8:53 a. m.]

[Administrative Order T-67]

TEXAS

LOAN ANNOUNCEMENT

SEPTEMBER 13, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Mid-Plains Rural Telephone Cooperative, Inc., Texas 522-A	[1] $610,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-12984; Filed, Oct. 26, 1951; 8:53 a. m.]

[Administrative Order T-68]

TEXAS

LOAN ANNOUNCEMENT

SEPTEMBER 14, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Caprock Rural Telephone Cooperative, Inc., Texas 564-A	[1] $600,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-12985; Filed, Oct. 26, 1951; 8:53 a. m.]

[Administrative Order T-69]

MASSACHUSETTS

LOAN ANNOUNCEMENT

SEPTEMBER 26, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Granby Telephone and Telegraph Co., Massachusetts 501-A	$40,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12986; Filed, Oct. 26, 1951; 8:54 a. m.]

[Administrative Order T-70]

MINNESOTA

LOAN ANNOUNCEMENT

OCTOBER 2, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Hector Telephone Co., Minnesota 539-A	$260,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-12987; Filed, Oct. 26, 1951; 8:54 a. m.]

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[1] Simultaneous allocation and loan.

[Administrative Order T-71]

OREGON

LOAN ANNOUNCEMENT

OCTOBER 2, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Monitor Cooperative Telephone Co., Oregon 503-A	$72,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-12988; Filed, Oct. 26, 1951; 8:54 a. m.]

[Administrative Order T-72]

OREGON

LOAN ANNOUNCEMENT

OCTOBER 3, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Independent Telephone Co. of Pilot Rock, Oregon 507-A	$235,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-12989; Filed, Oct. 26, 1951; 8:54 a. m.]

[Administrative Order T-73]

WISCONSIN

LOAN ANNOUNCEMENT

OCTOBER 3, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Cream Valley Telephone Co., Wisconsin 526-A	$186,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-12990; Filed, Oct. 26, 1951; 8:54 a. m.]

[Administrative Order T-74]

KANSAS

LOAN ANNOUNCEMENT

OCTOBER 5, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
United Telephone Association, Inc., Kansas 531-A	$763,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-12991; Filed, Oct. 26, 1951; 8:54 a. m.]

[Administrative Order T-75]

MINNESOTA

LOAN ANNOUNCEMENT

OCTOBER 12, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
The Albany Mutual Telephone Association Minnesota 558-A	[1] $363,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-12992; Filed, Oct. 26, 1951; 8:55 a. m.]

[Administrative Order T-76]

MICHIGAN

LOAN ANNOUNCEMENT

OCTOBER 17, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Peninsula Telephone Co., Michigan 508-A	$103,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-12993; Filed, Oct. 26, 1951; 8:55 a. m.]

[1] Simultaneous allocation and loan.

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Misc. 1499461]

CALIFORNIA

AMENDING ORDER OF RESTORATION OF LANDS EXCLUDED FROM JOSHUA TREE NATIONAL MONUMENT OF SEPTEMBER 26, 1951

OCTOBER 22, 1951.

The Order of Restoration of Lands Excluded from Joshua Tree National Monument of September 26, 1951 (16 F. R. 10040), is hereby amended as follows:

The description of the lands in T. 6 S., R. 12 E., S. B. M., California, is changed to read "sec. 1, that part north of aqueduct right-of-way", instead of "secs. 1 to 6, inclusive, those parts north of aqueduct right-of-way".

Those portions of secs. 2 to 6, inclusive, and sec. 10, T. 6 S., R. 12 E., S. B. M., lying north of the north transmission line right-of-way which is adjacent to the north right-of-way line of the Colorado River aqueduct, exclusive of the Bumpani's Aggregate Deposit in sec. 4, are within the boundaries of the Joshua Tree National Monument as revised by the act of September 25, 1950 (64 Stat. 1033).

WILLIAM PINCUS,
Acting Director.

[F. R. Doc. 51-12878; Filed, Oct. 26, 1951; 8:45 a. m.]

Office of the Secretary

CALIFORNIA

NOTICE FOR FILING OBJECTIONS TO ORDER RESERVING CERTAIN PUBLIC LANDS IN CONNECTION WITH MADELINE PLAINS WATERFOWL MANAGEMENT AREA [1]

For a period of 30 days from the date of publication of the above entitled order, persons having cause to object to the terms thereof may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent, and extent. Should any objection be filed, whether or not a hearing is held, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

OSCAR L. CHAPMAN,
Secretary of the Interior.

OCTOBER 22, 1951.

[F. R. Doc. 51-12880; Filed, Oct. 26, 1951; 8:45 a. m.]

CALIFORNIA

NOTICE FOR FILING OBJECTIONS TO ORDER RESERVING CERTAIN PUBLIC LANDS IN CONNECTION WITH HONEY LAKE WATERFOWL MANAGEMENT AREA [2]

For a period of 30 days from the date of publication of the above entitled order, persons having cause to object to the terms thereof may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior,

[1] See F. R. Doc. 51-12879, Title 43, Chapter I, Appendix, PLO 758, *supra*.

[2] See F. R. Doc. 51-12881, Title 43, Chapter I, Appendix, PLO 759, *supra*.

Washington 25, D. C. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent, and extent. Should any objection be filed, whether or not a hearing is held, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

OSCAR L. CHAPMAN,
Secretary of the Interior.

OCTOBER 22, 1951.

[F. R. Doc. 51-12882; Filed, Oct. 26, 1951; 8:46 a. m.]

DEFENSE MATERIALS PROCUREMENT AGENCY

[Delegation 3]

DEPUTY ADMINISTRATOR

DELEGATION OF AUTHORITY TO MAKE OR MODIFY ALL CONTRACTS, COMMITMENTS, GUARANTEES AND OTHER CONTRACT DOCUMENTS

1. Pursuant to the authority of the Defense Production Act of 1950, as amended (Public Law 774, 81st Cong., and Public Laws 69 and 96, 82d Cong.), and the Executive Orders issued pursuant thereto, there is hereby delegated to the Deputy Administrator, Defense Materials Procurement Agency, the authority vested in me to make or modify all contracts, commitments, guarantees and other contract documents which are in whole or in part to be made or modified under the authority of the Defense Production Act of 1950, as amended, and to perform all functions related to the foregoing.

2. The functions herein delegated may be redelegated with or without authority for redelegation.

3. Nothing herein shall be deemed to supersede or affect authority heretofore delegated by Defense Materials Procurement Agency Delegation No. 1 dated September 14, 1951.

4. This delegation is effective as of the date hereof.

Dated: October 25, 1951.

JESS LARSON,
Defense Materials Procurement Administrator.

[F. R. Doc. 51-13080; Filed, Oct. 26, 1951; 10:50 a. m.]

EXECUTIVE OFFICE OF THE PRESIDENT

Office of Defense Mobilization

[RC-3; No. 79]

CAMDEN-SHUMAKER, ARKANSAS, AREA

DETERMINATION AND CERTIFICATION OF A CRITICAL DEFENSE HOUSING AREA

OCTOBER 26, 1951.

Upon specific data which has been prescribed by and presented to the Secretary of Defense and the Director of Defense Mobilization and on the basis of other information available in the discharge of their official duties, the undersigned find that the conditions required by section 204 (1) of the Housing and Rent Act of 1947, as amended, exist in the area designated as

Camden-Shumaker, Arkansas, Area: This area is comprised of Ouachita and Calhoun Counties, Arkansas.

Therefore, pursuant to section 204 (1) of the Housing and Rent Act of 1947, as amended, and Executive Order 10276 of July 31, 1951, the undersigned jointly determine and certify that the aforementioned area is a critical defense housing area.

WILLIAM C. FOSTER,
Acting Secretary of Defense.
C. E. WILSON,
Director of Defense Mobilization.

[F. R. Doc. 51-13073; Filed, Oct. 26, 1951; 10:10 a. m.]

[RC-3; No. 154]

FORT SILL, LAWTON, OKLAHOMA, AREA

DETERMINATION AND CERTIFICATION OF A CRITICAL DEFENSE HOUSING AREA

OCTOBER 26, 1951.

Upon specific data which has been prescribed by and presented to the Secretary of Defense and the Director of Defense Mobilization and on the basis of other information available in the discharge of their official duties, the undersigned find that the conditions required by section 204 (1) of the Housing and Rent Act of 1947, as amended, exist in the area designated as

The Fort Sill, Lawton, Oklahoma, Area: Comprised of Comanche County.

Therefore, pursuant to section 204 (1) of the Housing and Rent Act of 1947, as amended, and Executive Order 10276 of July 31, 1951, the undersigned jointly determine and certify that the aforementioned area is a critical defense housing area.

WILLIAM C. FOSTER,
Acting Secretary of Defense.
C. E. WILSON,
Director of Defense Mobilization.

[F. R. Doc. 51-13074; Filed, Oct. 26, 1951; 10:10 a. m.]

[RC-4; No. 49]

HANFORD-KENNEWICK-PASCO, WASHINGTON, AREA

DETERMINATION AND CERTIFICATION OF A CRITICAL DEFENSE HOUSING AREA

OCTOBER 25, 1951.

Upon specific data which has been prescribed by and presented to the Secretary of Defense and the Director of Defense Mobilization and on the basis of other information available in the discharge of their official duties, the undersigned find that the conditions required by section 204 (1) of the Housing and Rent Act of 1947, as amended, exist in the area designated as

Hanford-Kennewick-Pasco, Washington, Area: Benton County, in Franklin County the precincts of Eltopia, Ringold, Fishhook, Riverview and Pasco precincts 1 through 7; in Walla Walla County the precincts of Attalia, Burbank and Wallula; and in Yakima County the precincts of Belma, Byron, Mabton, Mabton Rural, North Grand View, South Grand View, Sunnyside 1, Sunnyside 2, Sunnyside 3, Sunnyside Rural 1, Sunnyside Rural 2, Sunnyside Rural 3, Sunnyside Rural 4, Wanita and Wendel Phillips.

Therefore, pursuant to section 204 (1) of the Housing and Rent Act of 1947, as amended, and Executive Order 10276 of July 31, 1951, the undersigned jointly determine and certify that the aforementioned area is a critical defense housing area.

This supersedes Docket No. 49 issued October 9, 1951.

ROBERT A. LOVETT,
Secretary of Defense.
C. E. WILSON,
Director of Defense Mobilization.

[F. R. Doc. 51-13075; Filed, Oct. 26, 1951; 10:10 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

[No. M-39]

MISSISSIPPI SHIPPING CO., INC.

NOTICE OF HEARING ON APPLICATION TO BAREBOAT CHARTER A GOVERNMENT-OWNED, WAR-BUILT, DRY-CARGO VESSEL FOR EMPLOYMENT IN THE SERVICE BETWEEN THE GULF AND THE EAST COAST OF SOUTH AMERICA

Pursuant to section 3, Public Law 591, 81st Congress, notice is hereby given that an informal public hearing will be held at Washington, D. C., on November 6, 1951, at 10 o'clock a. m., in Room 4823, Commerce Building, before Examiner A. L. Jordan, upon the application of Mississippi Shipping Company, Inc., to bareboat charter a Government-owned war-built, dry-cargo vessel of Victory type for employment in its service between United States Gulf ports and ports on the East Coast of South America.

The purpose of the hearing is to receive evidence with respect to whether the service for which such vessel is proposed to be chartered is required in the public interest and is not adequately served, and with respect to the availability of privately owned American-flag vessels for charter on reasonable conditions and at reasonable rates for use in such service. Evidence offered with respect to any restrictions or conditions that may under the statute be included in the charter if the application should be granted also will be received.

All persons having an interest in the application will be given an opportunity to be heard if present.

The parties may have oral argument before the examiner immediately following the close of the hearing, in lieu of briefs, and the examiner will issue a recommended decision. Parties may have seven (7) days or such shorter time as may be agreed to at the hearing within which to file exceptions to, or memoranda in support of, the examiner's recommended decision, but the Board

reserves the right to determine whether oral argument on exceptions will be granted and whether briefs in connection therewith will be received.

Dated: October 25, 1951.

By order of the Federal Maritime Board.

[SEAL] R. L. McDONALD,
Assistant Secretary.

[F. R. Doc. 51-13044; Filed, Oct. 26, 1951; 8:51 a. m.]

[No. M-40]

GRACE LINE, INC.

NOTICE OF HEARING ON APPLICATION TO BAREBOAT CHARTER GOVERNMENT-OWNED WAR-BUILT, DRY-CARGO VESSELS FOR OPERATION BETWEEN CALIFORNIA PORTS AND PORTS IN VENEZUELA

Pursuant to section 3, Public Law 591, 81st Congress, notice is hereby given that an informal public hearing will be held at Washington, D. C., on November 7, 1951, at 10 o'clock a. m., in Room 4823, Commerce Building, before Examiner F. J. Horan, upon the application of Grace Line, Inc., to bareboat charter two Government-owned, war-built, dry-cargo vessels of Liberty type for operation between California ports and ports in Venezuela.

The purpose of the hearing is to receive evidence with respect to whether the service for which such vessels are proposed to be chartered is required in the public interest and is not adequately served, and with respect to the availability of privately owned American-flag vessels for charter on reasonable conditions and at reasonable rates for use in such service. Evidence offered with respect to any restrictions or conditions that may under the statute be included in the charter if the application should be granted also will be received.

All persons having an interest in the application will be given an opportunity to be heard if present.

The parties may have oral argument before the examiner immediately following the close of the hearing, in lieu of briefs, and the examiner will issue a recommended decision. Parties may have seven (7) days or such shorter time as may be agreed to at the hearing within which to file exceptions to, or memoranda in support of, the examiner's recommended decision, but the Board reserves the right to determine whether oral argument on exceptions will be granted and whether briefs in connection therewith will be received.

Dated: October 25, 1951.

By order of the Federal Maritime Board.

[SEAL] R. L. McDONALD,
Assistant Secretary.

[F. R. Doc. 51-13043; Filed, Oct. 26, 1951; 8:51 a. m.]

[No. M-41]

AMERICAN-HAWAIIAN STEAMSHIP CO.

NOTICE OF HEARING ON APPLICATION TO BAREBOAT CHARTER GOVERNMENT-OWNED, WAR-BUILT, DRY-CARGO VESSELS FOR EMPLOYMENT IN THE INTERCOASTAL SERVICE

Pursuant to section 3, Public Law 591, 81st Congress, notice is hereby given that an informal public hearing will be held at Washington, D. C., on November 7, 1951, at 2:00 o'clock p. m., in room 4823, Commerce Building, before Examiner C. W. Robinson, upon the application of American-Hawaiian Steamship Company, to bareboat charter seven (7) Government-owned war-built, dry-cargo vessels of Victory type for employment in the intercoastal service.

The purpose of the hearing is to receive evidence with respect to whether the service for which such vessels are proposed to be chartered is required in the public interest and is not adequately served, and with respect to the availability of privately owned American-flag vessels for charter on reasonable conditions and at reasonable rates for use in such service. Evidence offered with respect to any restrictions or conditions that may under the statute be included in the charter if the application should be granted also will be received.

All persons having an interest in the application will be given an opportunity to be heard if present.

The parties may have oral argument before the examiner immediately following the close of the hearing, in lieu of briefs, and the examiner will issue a recommended decision. Parties may have seven (7) days or such shorter time as may be agreed to at the hearing within which to file exceptions to, or memoranda in support of, the examiner's recommended decision, but the Board reserves the right to determine whether oral argument on exceptions will be granted and whether briefs in connection therewith will be received.

Dated: October 25, 1951.

By order of the Federal Maritime Board.

[SEAL] R. L. McDONALD,
Assistant Secretary.

[F. R. Doc. 51-13042; Filed, Oct. 26, 1951; 8:51 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of the Administrator

[Determination 1, Amdt. 7]

APPROVAL OF EXTENT OF RELAXATION OF CREDIT CONTROLS IN CRITICAL DEFENSE HOUSING AREAS

Section 3, *Areas affected*, of Determination No. 1 approving the extent of the relaxation of real estate construction credit controls in critical defense housing areas published in 16 F. R. 9582, September 20, 1951, is hereby amended by adding the following areas thereto, in view of the joint certification action taken by the Secretary of Defense and the Director of Defense Mobilization dated September 27, 1951 (see Docket No. 78A), October 9, 1951 (see Docket Nos. 58 and 188), October 11, 1951 (see Docket No. 109), and October 22, 1951 (see Docket No. 73), and in view of the defense housing programs of credit restrictions approved for said areas by the Housing and Home Finance Agency (CR 2, 16 F. R. 3303, CR 3, 16 F. R. 3835):

Area	*Date*
23. Newport News, Va.	Oct. 19, 1951
24. Bristol-Morrisville, Pa.	Do.
25. Indianapolis, Ind.	Do.
26. Presque Isle-Limestone, Maine	Do.
27. Sidney, Nebr.	Do.

RALPH D. HETZEL, JR.,
Acting Administrator.

OCTOBER 25, 1951.

[F. R. Doc. 51-13077; Filed, Oct. 26, 1951; 10:20 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 10074]

COMMUNITY RADIO CORP. (KNOX)

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Community Radio Corporation (KNOX), Grand Forks, North Dakota, Docket No. 10074, File No. BP-7945; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 17th day of October 1951;

The Commission having under consideration the above-entitled application requesting a construction permit to change frequency from 1400 kc to 1310 kc, increase power from 250 w to 5 kw, install a directional antenna for night use, install new transmitter and change transmitter and studio location at Station KNOX, Grand Forks, North Dakota;

It appearing, that the applicant is legally, technically, financially and otherwise qualified to operate Station KNOX as proposed, but that the application may involve interference with one or more existing stations and otherwise not comply with the Standards of Good Engineering Practice, particularly with reference to the ratio of population between the normally protected and interference-free contours and the population actually to be served;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing commencing at 10:00 a. m. on November 30, 1951, at Washington, D. C., upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the character of other broadcast service available to such areas and populations.

2. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of

Good Engineering Practice Concerning Standard Broadcast Stations with particular reference to the ratio of population between the normally protected and interference-free contours and the population actually to be served.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-12912; Filed, Oct. 26, 1951; 8:52 a. m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-1116, G-1240, G-1317, G-1344, G-1417, G-1152, G-1415, G-1379, G-1457, G-1509, G-1616, G-1625, G-1659]

PANHANDLE EASTERN PIPE LINE CO. ET AL

ORDER EXTENDING PERIOD OF RECESS

In the matters of Panhandle Eastern Pipe Line Company, Docket Nos. G-1116, G-1240, G-1317, G-1344 and G-1417; City of Port Huron, City of Marysville, City of St. Clair, Michigan, municipal corporations, Docket No. G-1152; Southeastern Michigan Gas Company, Docket No. G-1415; Michigan Consolidated Gas Company, complainant v. Panhandle Eastern Pipe Line Company, defendant, Docket No. G-1379; Northern Indiana Fuel and Light Company, Docket No. G-1457; Missouri Central Natural Gas Company, Docket No. G-1509; the Central West Utility Company, Docket No. G-1616; Michigan Gas Utilities Company, Docket No. G-1625; City of Auburn, Illinois, Docket No. G-1659.

On September 6, 1951, Panhandle Eastern Pipe Line Company (Panhandle) completed the presentation of direct testimony with respect to the rate aspects of the above-styled consolidated proceedings, and the hearing in such proceedings was recessed by the Presiding Examiner until September 25, 1951.

Thereafter, the Commission, by order of September 11, 1951, changed the closing date of the recess in the proceedings from September 25, 1951, to October 29, 1951.

The recess in the proceedings as extended by the Commission was taken to permit the Commission's staff to analyze the exhibits introduced by Panhandle, and underlying data and working papers in support thereof, upon which Panhandle relies to justify a proposed rate increase of approximately $21,400,000.

At the time the hearing in the proceedings was adjourned, and subsequent thereto, assurances were given by Panhandle that all working papers and other data would be made available immediately to the Commission's staff for study and analysis.

Although the Commission's staff has been in the offices of Panhandle in Kansas City, Missouri, since September 10, 1951, all working papers and other data requested had not been made available to the staff until October 22, 1951.

Although Panhandle has now furnished its working papers and other data requested, it now appears, however, additional time will be required by the staff to complete its analysis of such working papers and data. It is estimated that the staff will require approximately three weeks beyond October 29, 1951, to enable the staff to complete its analysis and study of the exhibits presented in the proceedings and the underlying data in support thereof.

The Commission finds: Good cause exists for further changing the closing date of the recess in these proceedings from October 29, 1951, to November 19, 1951.

The Commission orders: The hearing in the above-entitled proceedings now set to resume on October 29, 1951, be and the same is hereby postponed until November 19, 1951, at 10:00 a. m. e. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

Date of issuance. October 23, 1951.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-12907; Filed, Oct. 26, 1951; 8:52 a. m.]

[Docket No. G-1810]

TEXAS-OHIO GAS CO.

NOTICE OF APPLICATION

OCTOBER 22, 1951.

Take notice that Texas-Ohio Gas Company (Applicant), a Delaware Corporation with its principal place of business at Houston, Texas, filed on October 10, 1951, an application for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, as amended, authorizing the construction of facilities for the transportation and sale of natural gas, and the transportation and sale of natural gas by means of such facilities, as hereinafter described.

Applicant proposes to construct a natural-gas transmission system consisting of a 30-inch pipe line beginning near the Rio Grande River in Hidalgo County, Texas; thence extending through the States of Texas, Arkansas, Mississippi, Tennessee, and Kentucky, and into the State of West Virginia, together with thirteen compressor stations, consisting of 140,000 horsepower, and such other appurtenant facilities as are necessary or convenient for the operation of the said system. Applicant proposes to begin construction on or before June 1, 1952, and to complete construction on or before December 31, 1953.

Applicant states that it can acquire natural-gas reserves to insure the delivery of a minimum of 330,000,000 cubic feet of gas per day for a twenty-year period, and that it is in a position to acquire at an early date reserves sufficient to increase delivery to 650,000,000 cubic feet per day. Applicant estimates that the initial capacity of the transmission line will be 330,000,000 cubic feet of gas per day, which it will increase to 505,000,000 cubic feet as quickly as the additional capacity can be added.

Applicant proposes to sell and deliver gas in West Virginia for ultimate consumption in markets estimated by it to include 37,000,000 people. Applicant states that there is an immediate need for an additional supply of gas in the markets proposed to be served, and that the present and future natural-gas requirements of this area are greater than can be met by the existing pipe-line companies.

Applicant estimates that the over-all cost of the proposed facilities will be $184,989,683, and states that it has been offered adequate financing for the entire project subject to the approval of the Commission.

Protest or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 10th day of November 1951. The application is on file with the Commission for public inspection.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-12885; Filed, Oct. 26, 1951; 8:48 a. m.]

HOUSING AND HOME FINANCE AGENCY

Office of the Administrator

NOTICE OF HOUSING PROGRAMS AND RELAXATION OF CREDIT CONTROLS IN CRITICAL DEFENSE HOUSING AREAS

PART I—GENERAL STATEMENT

Pursuant to section 102 (a) of the Defense Housing and Community Facilities and Services Act of 1951 (Public Law 139, 82nd Congress), the Housing and Home Finance Administrator is required to announce and to publish in the FEDERAL REGISTER certain information with respect to permanent dwelling units needed for defense workers and military personnel in critical defense housing areas. The Director of Defense Mobilization, under Executive Order 10296 dated October 2, 1951 (16 F. R. 10103), is authorized to determine that certain areas are critical defense housing areas under section 101 of that act. Acting under such authority, the Director of Defense Mobilization has declared that he had determined that the areas listed in Part II hereof, (and published in the FEDERAL REGISTER on October 6, 1951 (16 F. R. 10206)) are critical defense housing areas within the meaning of section 101 of said act. By said Executive Order 10296, the Housing and Home Finance Administrator is designated and empowered to suspend or relax residential credit restrictions under the provisions of section 102 (b) of the Defense Housing and Community Facilities and Services Act of 1951. Accordingly there is explained in this part and listed in Part II, hereof, the number of permanent dwelling units (including information as to types, rentals and general locations) needed for defense workers and military personnel in each such critical defense housing area, and the relaxation of residential credit restrictions in each such area.

Under section 102 (d) of said act no permanent housing may be constructed by the Federal Government under title

III of said act except to the extent that private builders or eligible mortgagees have not, within a period of not less than ninety days after public announcement of the availability of insurance aids under title IX of the National Housing Act, as amended, indicated by filing bona fide application for exceptions from residential credit restrictions or for mortgage insurance or guaranty under programs of the Federal Housing Administration or the Veterans' Administration or otherwise that they will provide the defense housing determined to be needed in the area and publicly announced pursuant to section 102 (a). Such bona fide applications must meet the requirements as to types, rentals or sales prices and general locations specified in the Area Programs in Part II hereof.

To be eligible for exceptions from residential credit restrictions the applications for such exceptions must be submitted in accordance with the provisions of residential credit regulations CR 2 (16 F. R. 3303) and CR 3 (including the Appendix thereto) as amended (16 F. R. 7611 and 16 F. R. 10101) of the Housing and Home Finance Agency. CR 2 relates only to the three areas of Atomic Energy Commission installations listed in Part II hereof and known as the Savannah River (South Carolina and Georgia), Paducah (Kentucky), and Idaho Reactor Testing Station (Arco, Blackfoot, Idaho Falls, Idaho) installations. CR 3 governs credit relaxations for housing in all the other areas listed as critical defense housing areas in Part II hereof, as well as for housing programmed in certain areas not affected by this notice. Information as to where and how one may apply for exceptions from residential credit restrictions under Regulation CR 2 will be found in section 7 of CR 2, and under Regulation CR 3, in section 9 of CR 3 for housing to be held for rent and section 14 for housing to be built for occupancy by the owner.

The critical defense housing areas listed in Part II hereof indicate the areas in connection with which defense housing has been programmed. However, more specific information with respect to the location of housing (serving such areas) for which exceptions from credit restrictions may be granted may be found in the area programs set forth in Part II hereof. These area programs may specify geographical places where programmed housing may be located or may set out a definition for the particular area of reasonable daily commuting distance from the defense establishments (which are listed in Part II hereof for each critical defense housing area) to be served. In order to be eligible for exceptions from residential credit restrictions, the housing must be located either in such a specified geographical place or within such reasonable commuting distance from a listed defense establishment. If the area program for a given area does not furnish such specific information with respect to eligible locations for the housing, locations will be considered eligible if they are within a maximum practicable commuting distance, defined as a distance within which it is possible to commute daily to the place of employment by established common carrier or by private transportation at a cost of not more than $1.00 per round trip and with normal traveling time of not more than three hours per round trip.

Applications for construction of housing under relaxed credit restrictions will be approved in accordance with the needs indicated in the area programs listed in Part II hereof and in accordance with the standards of eligibility including location and desirability of the sites, set out in said regulation CR 2 and CR 3. Where the housing needs of defense workers and military personnel so warrants, preference may be given to applications for rental housing under any program and additional rental units may be charged to units in the sales quota provided that this results in the approval of such additional rental units at rents not exceeding the rental equivalent of the prices of such sales units.

Where areas listed in Part II hereof as Critical Defense Housing Areas for purposes of the Defense Housing and Community Facilities and Services Act of 1951 are areas for which defense housing credit relaxation programs have been previously announced under Housing and Home Finance Agency Regulation CR 2 or CR 3, the housing programmed in Part II hereof includes the housing previously programmed. Applications previously submitted under said Regulations CR 2 or CR 3, whether approved or pending, and which have not expired, will be deemed to be applications under the programs set forth herein, and applications hereafter submitted will be considered, after pending applications, for programmed units for which approved applications are not outstanding.

With respect to any previously or hereafter approved applications within the number and types of dwelling units programmed herein for areas listed in Part II hereof or previously programmed for areas not included in Part II hereof but referred to in Housing and Home Finance Agency Regulation CR 3 (including the Appendix thereto) as amended August 3, 1951 (16 F. R. 7611 and 16 F. R. 10161), residential credit restrictions are hereby suspended.

PART II—DEFENSE HOUSING PROGRAMS

For Certain Critical Defense Housing Areas for Purposes of the Defense Housing and Community Facilities and Services Act of 1951 and Housing and Home Finance Agency's Regulations CR 2 and CR 3

1. AEC, Savannah River Installation, S. C., and Ga.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total rent and sale
	Number of units	Rental not to exceed	Number	Price not to exceed	
1 bedroom	150	$60.00			
2 bedroom	2,220	65.00			
3 or more bedrooms	950	75.00			
Total	[1] 3,320		[2] 280		3,600

[1] This quota is in addition to the 1,000 rental units previously approved and programmed under Programs Number 1 and 2 for this area. One hundred of these rental units may be reserved for the construction of residential units to carry a higher rental, the allocation of these reserved units to be at the discretion of the Area Representative.

[2] This quota is in addition to the 150 sales units previously approved and programmed under Program Number 1 for this area. It is for the purpose of permitting the defense activity to issue certificates of eligibility to employees occupying permanent positions who wish to buy or build for their own occupancy without restrictions as to price.

LIST OF DEFENSE ACTIVITIES

Savannah River Plant, Atomic Energy Commission

Reasonable commuting distance for this area will be defined by the Area Representative of the Administrator.

2. Paducah, Kentucky (including Vienna, Ill.).

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total rent and sale
	Number of units	Rental not to exceed	Number	Price not to exceed	
1 bedroom					
2 bedroom	350	$85.00			
3 or more bedrooms	150	95.00			
Total	500		[1] 500		1,000

[1] This portion of the quota is for the purpose of permitting the Atomic Energy Commission to issue certificates of eligibility to employees of the defense activities occupying permanent positions who wish to buy or build for their own occupancy. Effective with the issuance of this program, 50 of these units are allocated to the Joppa sub-area.

LIST OF DEFENSE ACTIVITIES

Atomic Energy Commission, Paducah, Ky.
Union Carbide & Chemical Corp., Paducah, Ky.
Tennessee Valley Authority, Paducah, Ky.
Electric Energy, Inc., Joppa, Ill.

Reasonable commuting distance for this area is defined as a distance within which it is possible to commute to the place of employment by common carrier or by private

transportation with a cost to the worker not in excess of 80 cents per round trip and with normal traveling time of not more than two hours per round trip, except that the 50 units allocated to the Joppa sub-area shall be located within a 20-mile radius of Joppa.

3. Arco-Blackfoot-Idaho Falls, Idaho.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total rent and sale
	Number of units	Rental not to exceed	Number	Price not to exceed	
1 bedroom	35	$75.00			
2 bedroom	90	85.00			
3 or more bedrooms	125	95.00			
Total	250		[1] 250		500

[1] This portion of the quota was approved for the purpose of permitting the defense activity to issue certificates of eligibility to employees occupying permanent positions who wish to buy or build for their own occupancy without restrictions as to price.

LIST OF DEFENSE ACTIVITIES

Idaho Reactor Testing Station, Atomic Energy Commission

Reasonable commuting distance for this area is defined as the communities of Idaho Falls, Blackfoot and Arco and their environs.

4. San Diego and Oceanside, Calif.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total rent and sale
	Number of units	Rental not to exceed	Number	Price not to exceed	
1 bedroom	870	$55.00			870
2 bedroom	2,855	65.00	1,385	$8,500	3,750
3 or more bedrooms	795	75.00	795	9,500	1,500
Total	4,520		2,180		[1] 6,700

[1] Includes 400 rental units and 100 sales units for Camp Pendleton and 120 rental units and 80 sales units for the Naval Air Station, Miramar and Camp Elliott.

LIST OF DEFENSE ACTIVITIES

All Naval Installations (including Naval Air Station at Miramar)
Consolidated-Vultee Aircraft Co.
Solar Aircraft Co.
Ryan Aircraft Co.
Rohr Aircraft Co.
Camp Elliot
Camp Pendleton

Reasonable commuting distance for this area generally is defined as a distance within which it is possible to commute to the place of employment by common carrier or by private transportation with a cost to the worker not in excess of 80 cents per round trip and with normal traveling time of not more than two hours per round trip, except that the 500 units for Camp Pendleton are to be built in Oceanside, Fallbrook, Vista and Carlsbad and their environs and the 200 units for the Naval Air Station, Miramar, and Camp Elliott are to be built in Miramar and its environs.

5. Wright-Patterson Air Force Base, Dayton, Ohio.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total rent and sale
	Number of units	Rental not to exceed—	Number	Price not to exceed—	
1 bedroom	200	$67.50			200
2 bedroom	600	75.00	300	$9,500	900
3 or more bedrooms	200	85.00	200	10,500	400
Total	1,000		500		1,500

LIST OF DEFENSE ACTIVITIES

Wright-Patterson Air Force Base

Reasonable commuting distance for the purposes of this program is defined as the area within a twenty-mile radius of the Wright-Patterson Air Force Base.

6. Solano County, Calif.

NEEDED DEFENSE HOUSING

Unit size	Rent			Sale			Total rent and sale
	Number of units		Rental not to exceed	Number		Price not to exceed	
	Vallejo	Benicia		Vallejo	Benicia		
1 bedroom	60	10	$60.00				70
2 bedroom	270	50	70.00	70	15	$8,500	405
3 or more bedrooms	70	20	80.00	30	5	9,500	125
Total	400	80		100	20		600

LIST OF DEFENSE ACTIVITIES

Mare Island Navy Yard
Benicia Arsenal
Travis Air Base

Reasonable commuting distance for the purposes of this program is the cities of Vallejo and Benicia and their environs in accordance with the quota allocations indicated.

7. Star Lake, N. Y.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total rent and sale
	Number of units	Rental not to exceed	Number	Price not to exceed	
1 bedroom					
2 bedroom					
3 or more bedrooms					
Total					[1] 75

[1] In consideration of the small quota involved and the inherent problems likely to be encountered in securing production of housing in this area, considerable flexibility is being permitted under maximum shelter rentals of $55.00 per month and maximum sales prices of $9,000.00. The distribution of units shall be approximately sixty percent rental and forty percent sale. As a general rule, sales units shall not be approved to sell in excess of $8,000.00.

LIST OF DEFENSE ACTIVITIES

Jones and Laughlin Ore Company

For purposes of best serving the in-migrant employees of the defense industry and to take advantage of the facilities offered to be provided by the industry, all housing construction for which relaxation of credit restrictions is extended shall be located within 5 miles of the intersection of the common boundary line of Fine and Clifton Towns with New York State Route 3.

8. Davenport, Iowa; Rock Island, East Moline and Moline, Ill. (Quad Cities).

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total rent and sale
	Number of units	Rental not to exceed	Number	Price not to exceed	
1 bedroom	50	$65.00			50
2 bedroom	150	75.00	[1] 350	$10,000	500
3 or more bedrooms	50	85.00	[2] 150	11,000	200
Total	250		500		750

[1] 150 of these units at a price not to exceed $9,000.
[2] 100 of these units at a price not to exceed $10,000.

LIST OF DEFENSE ACTIVITIES

Rock Island Arsenal

Reasonable commuting distance for this area is defined as a distance within which it is possible to commute to the place of employment by common carrier or by private transportation with a cost to the worker not in excess of 80 cents per round trip and with normal traveling time of not more than two hours per round trip, except that for the purposes of this program preference will be given to the cities of Rock Island, Moline, East Moline, Davenport, and Bettendorf and their environs.

9. Lone Star, Tex.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total rent and sale
	Number of units	Rental not to exceed	Number	Price not to exceed	
1 bedroom	20	$50.00			20
2 bedroom	60	60.00			60
3 or more bedrooms	20	70.00			20
Total	100				100

LIST OF DEFENSE ACTIVITIES

Lone Star Steel Co.

Reasonable commuting distance for the purposes of this program is defined as the area within a 25-mile radius of Lone Star, with preference to be given to locations in the cities which are best supplied with community facilities and services, namely Daingerfield, Hughes Springs, and Pittsburg and their environs.

10. Brazoria County, Tex.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total rent and sale
	Number of units	Rental not to exceed	Number	Price not to exceed	
1 bedroom	60	$50.00			60
2 bedroom	150	60.00	150	$8,000	300
3 or more bedrooms	90	70.00	150	9,000	240
Total	300		300		600

LIST OF DEFENSE ACTIVITIES

Stauffer Chemical Co.
Freeport Sulphur Co.
Dow Chemical Co.
Jefferson Lake Sulphur Co.
Phillips Oil Company Refinery
Abercrombie Oil Company Plant

Reasonable commuting distance for this area is defined as a distance within which it is possible to commute to the place of employment by common carrier or by private transportation with a cost to the worker not in excess of 80 cents per round trip and with normal traveling time of not more than two hours per round trip.

11. Norfolk-Portsmouth, Va.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total rent and sale
	Number of units	Rental not to exceed	Number	Price not to exceed	
1 bedroom					
2 bedroom	2,000	$60.00	300	$10,000	2,300
3 or more bedrooms	500	70.00	200	11,000	700
Total	2,500		500		3,000

LIST OF DEFENSE ACTIVITIES

Armed Forces Installations on the South Side of Hampton Roads

Reasonable commuting distance for the purposes of this program is defined as a distance within which it is possible to commute to the place of employment by common carrier or by private transportation with a cost to the worker not in excess of 80 cents per round trip and with normal traveling time of not more than two hours per round trip.

12. Newport News, Va.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total rent and sale
	Number of units	Rental not to exceed	Number	Price not to exceed	
1 bedroom					
2 bedroom	350	$65.00	90	$7,250	440
3 or more bedrooms	250	75.00	60	8,500	310
Total	600		150		750

LIST OF DEFENSE ACTIVITIES

Newport News Shipbuilding & Dry Dock Co.
Fort Monroe
Fort Eustis
Langley Field
Naval Mine Warfare School and Depot
Naval Supply Depot E

Reasonable commuting distance for the purposes of this program is defined as Elizabeth City, Warwick, and York Counties, and the independent cities of Newport News and Hampton.

13. Borger, Tex.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total rent and sale
	Number of units	Rental not to exceed	Number	Price not to exceed	
1 bedroom	20	$60.00			20
2 bedroom	60	70.00	60	$8,000	120
3 or more bedroom	20	80.00	40	9,000	60
Total	100		100		200

LIST OF DEFENSE ACTIVITIES

Phillips Petroleum Co. and related synthetic rubber plants
I. M. Huber Corp.
United Carbon Co.

Reasonable commuting distance for this area is defined as a distance within which it is possible to commute to the place of employment by common carrier or by private transportation with a cost to the worker not in excess of 80 cents per round trip and with normal traveling time of not more than two hours per round trip.

14. Wichita, Kans.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total rent and sale
	Number of units	Rental not to exceed	Number	Price not to exceed	
1 bedroom					
2 bedroom	1,200	$75.00	400	$8,500	1,600
3 or more bedrooms	300	85.00	100	9,500	400
Total	1,500		500		2,000

LIST OF DEFENSE ACTIVITIES

Boeing Aircraft Co.
Beech Aircraft Co.
Cessna Aircraft Co.
Swallow Aircraft Co.
Wichita Air Force Base

Reasonable commuting distance for this area is defined as a distance within which it is possible to commute to the place of employment by common carrier or by private transportation with a cost to the worker not in excess of 80 cents per round trip and with normal traveling time of not more than two hours per round trip.

15. Colorado Springs, Colo.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total rent and sale
	Number of units	Rental not to exceed	Number	Price not to exceed	
1 bedroom	75	$65.00			75
2 bedroom	350	80.00	350	$9,000	700
3 or more bedrooms	75	90.00	150	10,500	225
Total	500		500		1,000

LIST OF DEFENSE ACTIVITIES

Camp Carson
Ent Air Base
Peterson Field

Reasonable commuting distance for this area is defined as a distance within which it is possible to commute to the place of employment by common carrier or by private transportation with a cost to the worker not in excess of 80 cents per round trip and with normal traveling time of not more than two hours per round trip.

16. Camp Roberts-Camp Cooke, Calif.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total rent and sale
	Number of units	Rental not to exceed	Number	Price not to exceed	
1 bedroom	80	$60.00			80
2 bedroom	340	67.50	160	$8,500	500
3 or more bedrooms	50	75.00	70	9,500	120
Total	470		230		[1] 700

[1] 280 rental units and 170 sales units for Camp Cooke and 190 rental units and 60 sales units for Camp Roberts.

LIST OF DEFENSE ACTIVITIES

Camp Cooke
U. S. Disciplinary Barracks (Camp Cooke)
Camp Roberts

Reasonable commuting distance for the 250 units for Camp Roberts is defined as Paso Robles and Atascadero and their environs and for the 450 units for Camp Cooke a distance within which it is possible to commute to the place of employment by common carrier or by private transportation with a cost to the worker not in excess of $1.00 per round trip and with normal traveling time of not more than three hours per round trip, except that Lompoc, Santa Maria, Arroyo Grande, and Pismo Beach shall be considered within commuting distance for the purposes of this program.

17. Fort Leonard Wood, Rolla, Mo.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total rent and sale
	Number of units	Rental not to exceed	Number	Price not to exceed	
1 bedroom	25	$55.00			25
2 bedroom	100	65.00	75	[1] $9,500	175
3 or more bedroom	25	75.00	25	[1] 10,500	50
Total	150		100		[2] 250

[1] The sales prices indicated are maxima and it is intended that at least one-half of the units authorized be at prices approximately $1,000 below these maxima.
[2] In consideration of the availability of community facilities and its greater accessibility to the defense activities, approximately three-fourths of the units authorized should be located in Rolla.

LIST OF DEFENSE ACTIVITIES

Fort Leonard Wood
U. S. Geological Survey, Rolla

Reasonable commuting distance for this area is defined as a distance within which it is possible to commute to the place of employment by common carrier or by private transportation with a cost to the worker not in excess of 80 cents per round trip and with normal traveling time of not more than two hours per round trip, except that the cities of Rolla and Lebanon shall under any circumstances be considered within reasonable commuting distance.

18. Tooele, Utah.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total rent and sale
	Number of units	Rental not to exceed	Number	Price not to exceed	
1 bedroom					
2 bedroom	25	$65.00	[1] 150	$8,000	175
3 or more bedroom	25	75.00	[2] 50	9,000	75
Total	50		200		250

[1] 50 of these units at not to exceed $7,000.
[2] 20 of these units at not to exceed $8,000.

LIST OF DEFENSE ACTIVITIES

Tooele Ordnance Depot
Deseret Chemical Depot
Dugway Proving Ground
Kennecott Copper Co.
International Smelting & Refining Co.
Howe Sound Cobalt Refinery

And other companies engaged in the mining, smelting, refining, and fabricating of copper

For the purposes of this program preference is to be given to the location of the 50 rental units in Tooele and 130 of the sales units in Tooele, 50 of the sales units in Magna and 20 of the sales units in Grantsville and their respective environs. Consideration will be given to maintaining the same ratios of sales price maxima and bedroom distributions in the total quota in the allocation of the units to the three communities mentioned.

19. Las Cruces, N. Mex.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total rent and sale
	Number of units	Rental not to exceed	Number	Price not to exceed	
1 bedroom	40	$50.00			40
2 bedroom	100	60.00			100
3 or more bedroom	60	70.00			60
Total	200				200

LIST OF DEFENSE ACTIVITIES

White Sands Proving Ground and corporate contractors serving it
U. S. Weather Bureau
Army Signal Corps

Reasonable commuting distance for the purposes of this program is defined as Las Cruces and its environs.

20. Dover, Del.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total rent and sale
	Number of units	Rental not to exceed	Number	Price not to exceed	
1 bedroom	75	$50.00			75
2 bedroom	75	60.00	35	$8,500	110
3 or more bedroom			15	9,750	15
Totl	150		50		200

LIST OF DEFENSE ACTIVITIES

Dover Air Force Base

Reasonable commuting distance for the purposes of this program is defined as Dover, Smyrna, and Milford and their environs.

21. Imperial County, Calif.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total rent and sale
	Number of units	Rental not to exceed	Number	Price not to exceed	
1 bedroom	5	$65.00			5
2 bedroom	30	75.00	40	$9,500	70
3 or more bedrooms	5	85.00	20	10,500	25
Total	40		60		100

LIST OF DEFENSE ACTIVITIES

Air Technical Training Unit, U. S. Naval
Auxiliary Air Station, U. S. Naval
Parachute Experimental Unit, U. S. Naval
Electronics Station, U. S. Naval Reserve
Recruiting Substation, U. S. Naval

Reasonable commuting distance for this area is defined as the cities of El Centro and Imperial and their environs, for the purposes of this program.

22. Hanford-Kennewick-Pasco, Wash.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total rent and sale
	Number of units	Rental not to exceed	Number	Price not to exceed	
1 bedroom	25	$60.00			25
2 bedroom	500	75.00	75	$10,000	575
3 or more bedrooms	125	90.00	75	11,000	200
Total	650		150		800

LIST OF DEFENSE ACTIVITIES

Hanford Operations, Atomic Energy Commission
Camp Hanford
Army Engineers Depot, Pasco
Bonneville Power Administration, Kennewick
General Chemical Co., Kennewick

Reasonable commuting distance for this area is defined as a distance within which it is possible to commute to the place of employment by common carrier or by private transportation with a cost to the worker not in excess of 80 cents per round trip, except that for the purposes of this program preference will be given to the location of approximately 500 of the rental units in Richland, 125 rental and 100 sales units distributed between Pasco, Kennewick and Prosser and 25 rental and 50 sales units distributed between Grandview and Sunnyside including the environs of each town mentioned.

23. Bremerton, Wash.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total rent and sale
	Number of units	Rental not to exceed	Number	Price not to exceed	
1 bedroom	75	$60.00			75
2 bedroom	225	75.00	150	$9,500	375
3 or more bedrooms	150	90.00	150	10,500	300
Total	450		300		750

LIST OF DEFENSE ACTIVITIES

Puget Sound Navy Yard
Naval Ammunition Depot, Bremerton
Naval Ammunition Depot, Bangor
Naval Torpedo Station, Key Point

Reasonable commuting distance for this area is defined as a distance within which it is possible to commute to the place of employment by common carrier or by private transportation with a cost to the worker not in excess of 80 cents per round trip and with normal traveling time of not more than two hours per round trip.

24. Patuxent, Md.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total rent and sale
	Number of units	Rental not to exceed	Number	Price not to exceed	
1 bedroom	30	$60.00			30
2 bedroom	35	65.00	25	$10,000	60
3 or more bedrooms	10	75.00			10
Total	75		25		100

LIST OF DEFENSE ACTIVITIES

Patuxent Naval Air Station

Reasonable commuting distance for the purposes of this program is defined as the area within a five-mile radius of the main gate of the Naval Air Station.

25. Valdosta, Ga.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total rent and sale
	Number of units	Rental not to exceed	Number	Price not to exceed	
1 bedroom					
2 bedroom	180	[1] $65.00			
3 or more bedrooms	120	[2] 75.00			
Total	300				300

[1] 150 of these units not to exceed $60.00.
[2] 85 of these unit not to exceed $70.00.

LIST OF DEFENSE ACTIVITIES

Moody Field

Preference shall be given to single family and duplex structures which could be sold for owner-occupancy upon the termination of the defense needs. Reasonable commuting distance for this area is defined as a distance within which it is possible to commute to the place of employment by common carrier or by private transportation with a cost to the worker not in excess of 80 cents per round trip and with normal traveling time of not more than two hours per round trip, except that preference shall be given to locations in the northern part of Valdosta, which are nearest the defense activity.

26. Columbus, Ind.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total rent and sale
	Number of units	Rental not to exceed	Number	Price not to exceed	
1 bedroom					
2 bedroom	140	$75.00	90	$10,000	230
3 or more bedrooms	70	85.00	50	11,250	120
Total	210		140		350

LIST OF DEFENSE ACTIVITIES

Camp Atterbury
Atterbury Air Force Base

Reasonable commuting distance for this area is defined as a distance within which it is possible to commute to the place of employment by common carrier or by private transportation with a cost to the worker not in excess of 80 cents per round trip and with normal traveling time of not more than two hours per round trip.

27. Camp Lejeune, N. C.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total rent and sale
	Number of units	Rental not to exceed	Number	Price not to exceed	
1 bedroom					
2 bedroom			180	$8,250	180
3 or more bedrooms			120	9,250	120
Total			300		300

LIST OF DEFENSE ACTIVITIES

Camp Lejeune

Reasonable commuting distance for the purposes of this program is defined as Onslow County with preference to be given to locations in Jacksonville, Richlands, Swansboro, and their environs.

28. Sampson Air Force Base, N. Y.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total rent and sale
	Number of units	Rental not to exceed	Number	Price not to exceed	
1 bedroom	45	$55.00			45
2 bedroom	180	65.00	110	$8,000	290
3 or more bedrooms	75	75.00	40	9,000	115
Total	300		150		450

LIST OF DEFENSE ACTIVITIES

Sampson Air Force Base

Reasonable commuting distance for the purposes of this program is defined as a distance within which it is possible to commute to the place of employment by common carrier or by private transportation with a cost to the worker not in excess of 80 cents per round trip and with normal traveling time of not more than two hours per round trip.

29. Florence-Killeen, Tex.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total rent and sale
	Number of units	Rental not to exceed	Number	Price not to exceed	
1 bedroom	240	$65.00			240
2 bedroom	380	75.00	150	$9,000	530
3 or more bedrooms	180	85.00	50	10,000	230
Total	800		200		1,000

LIST OF DEFENSE ACTIVITIES

Fort Hood
Killeen Air Force Base
Gray Air Force Base

Reasonable commuting distance for the purposes of this program is defined as the area within a 20-mile radius of Fort Hood including Killeen, Belton, Florence, and Copperas Cove.

30. Mineral Wells-Weatherford, Tex.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total rent and sale
	Number of units	Rental not to exceed	Number	Price not to exceed	
1 bedroom	15	$45.00			15
2 bedroom	60	55.00			60
3 or more bedrooms	25	65.00			25
Total	100				100

LIST OF DEFENSE ACTIVITIES

Wolters Air Force Base

Reasonable commuting distance for the purposes of this program is defined as the communities of Mineral Wells and Weatherford and their environs.

31. Huntsville, Ala.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total rent and sale
	Number of units	Rental not to exceed	Number	Price not to exceed	
1 bedroom	30	$55.00			30
2 bedroom	250	65.00	100	$8,000	350
3 or more bedrooms	120	75.00	100	9,250	220
Total	400		200		600

LIST OF DEFENSE ACTIVITIES

Redstone Arsenal

Reasonable commuting distance for this area is defined as a distance within which it is possible to commute to the place of employment by common carrier or by private transportation with a cost to the worker not in excess of 80 cents per round trip and with normal traveling time of not more than two hours per round trip, except that for the purpose of this program preference will be given to locations for rental housing which are nearest the defense activity.

32. Barstow, Calif.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total rent and sale
	Number of units	Rental not to exceed	Number	Price not to exceed	
1 bedroom	25	$55.00			25
2 bedroom	75	65.00	60	$8,500	135
3 or more bedrooms	20	75.00	20	9,500	40
Total	120		80		200

LIST OF DEFENSE ACTIVITIES

Marine Corps Supply Depot
Camp Irwin

Reasonable commuting distance for the purposes of this program is defined as the City of Barstow and its environs.

33. Lancaster, Calif.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total rent and sale
	Number of units	Rental not to exceed	Number	Price not to exceed	
1 bedroom	20	$60.00			20
2 bedroom	60	72.00	60	$8,750	120
3 or more bedrooms	20	85.00	40	10,000	60
Total	100		100		200

LIST OF DEFENSE ACTIVITIES

Edwards Air Force Base
Lockheed Aircraft Corp.
National Advisory Committee for Aeronautics
Mojave Navy Air Field

Reasonable commuting distance for the purposes of this program is defined as the communities of Lancaster, Palmdale, Mojave and their environs.

34. Alamogordo, N. Mex.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total rent and sale
	Number of units	Rental not to exceed	Number	Price not to exceed	
1 bedroom					
2 bedrooms	50	$70.00	[1] 55	$8,000	105
3 or more bedrooms	20	80.00	10	9,000	30
Total	70		65		135

[1] 15 of these units to be built in Tularosa and environs; the balance of the quota to be built in Alamogordo and environs.

LIST OF DEFENSE ACTIVITIES

Holloman Air Force Base

Reasonable commuting distance for the purposes of this program is defined as the communities of Alamogordo and Tularosa and their environs.

35. Indianapolis, Ind.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total rent and sale
	Number of units	Rental not to exceed	Number	Price not to exceed	
1 bedroom	50	$70.00			50
2 bedroom	300	77.50	350	$10,500	650
3 or more bedrooms	150	85.00	150	11,500	300
Total	500		500		1,000

LIST OF DEFENSE ACTIVITIES

Allison Division of General Motors Corp.
Army Finance Center, Fort Benjamin Harrison
Naval Ordnance Plant

Reasonable commuting distance for the purposes of this program is defined as the counties of Marion, Hancock and Hamilton, except that, for the purposes of this program, preference will be given to locations in Indianapolis and its environs.

36. Sanford, Fla.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total rent and sale
	Number of units	Rental not to exceed	Number	Price not to exceed	
1 bedroom					
2 bedroom	10	$75.00	40	$7,500	50
3 or more bedrooms	20	85.00	20	8,750	40
Total	30		60		90

LIST OF DEFENSE ACTIVITIES

Naval Auxiliary Air Station

Reasonable commuting distance for this area is defined as Seminole County, except that for the purposes of this program preference will be given to locations in Sanford and its environs.

37. Sidney, Nebr.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total rent and sale
	Number of units	Rental not to exceed	Number	Price not to exceed	
1 bedroom	15	$60.00			15
2 bedroom	50	70.00	100	$8,000	150
3 or more bedrooms	10	80.00	25	9,250	35
Total	75		125		200

LIST OF DEFENSE ACTIVITIES

Sioux Ordnance Depot

Reasonable commuting distance for this area is defined as Cheyenne County, except that for the purposes of this program preference will be given to locations in Sidney and its environs.

38. Kingsville, Tex.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total rent and sale
	Number of units	Rental not to exceed	Number	Price not to exceed	
1 bedroom	15	$45.00			15
2 bedroom	35	60.00			35
3 or more bedrooms	20	75.00			20
Total	70				70

LIST OF DEFENSE ACTIVITIES

Naval Auxiliary Air Station
Celanese Corp.

Reasonable commuting distance for this area is defined as: Kleberg County precincts 1, 2, and 3, including Kingsville city, and Jim Wells County precincts 1, 4, 6, and 7, including Alice city and Premont town, and Nueces County precincts 3, 4, 5, and 8, including Bishop town and Robstown city except that, for the purposes of this program, preference will be given to locations in Kingsville and Bishop and their environs.

39. Wichita Falls, Tex.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total rent and sale
	Number of units	Rental not to exceed	Number	Price not to exceed	
1 bedroom	20	$57.50			20
2 bedroom	100	67.50	40	$8,000	140
3 or more bedrooms	30	77.50	10	9,000	40
Total	150		50		200

LIST OF DEFENSE ACTIVITIES

Sheppard Air Force Base

Reasonable commuting distance for this area is defined as Wichita County, except that for the purposes of this program preference will be given to locations in Wichita Falls, Iowa Park, and Burkburnett, and their environs.

40. Presque Isle-Limestone, Maine.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total rent and sale
	Number of units	Rental not to exceed	Number	Price not to exceed	
1 bedroom					
2 bedroom			130	$9,500	130
3 or more bedrooms			45	10,500	45
Total			175		175

LIST OF DEFENSE ACTIVITIES

Presque Isle Air Force Base

Limestone Air Force Base

Reasonable commuting distance for this area is defined as the following towns in Aroostook County: Ashland, Caribou, Castle Hill, Easton, Fort Fairfield, Limestone, Mapleton, Mars Hill, Presque Isle, Van Buren, Washburn, Westfield, and the Plantations of Caswell and Hamlin and the city of Presque Isle. For the purposes of this program preference will be given to locations in Presque Isle, Limestone and Caribou and their environs.

41. Bucks County (Bristol-Morrisville), Pa.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total rent and sale
	Number of units	Rental not to exceed	Number	Price not to exceed	
1 bedroom	[1] 380	$75.00			380
2 bedroom	[2] 1,000	85.00	[4] 620	$10,500	1,620
3 or more bedrooms	[3] 120	95.00	[5] 380	11,500	500
Total	1,500		1,000		2,500

[1] 300 units at rental not to exceed $65.00.
[2] 700 units at rental not to exceed $75.00.
[3] 100 units at rental not to exceed $85.00.
[4] 500 units at sales price not to exceed $9,500.
[5] 300 units at sales price not to exceed $10,500.

LIST OF DEFENSE ACTIVITIES

Fairless Steel
Kaiser Metal Products
Hunter Manufacturing Co.
Philco Corp.
Bandenhausen Corp.

Reasonable commuting distance for this area is defined as: in Bucks County the Townships of Bensalem, Bristol, Falls, Middletown, Lower Makefield, Upper Makefield, Newton, Northampton, and Wrightstown, and the boroughs of Bristol, Hulmeville, Langhorne, Langhorne Manor, Morrisville, Newton, Penndel, South Langhorne, Tulleytown and Yardley.

[SEAL] RAYMOND M. FOLEY,
Housing and Home Finance Administrator.

OCTOBER 24, 1951.

[F. R. Doc. 51-13022; Filed, Oct. 26, 1951; 8:48 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26497]

SCRAP IRON BETWEEN ROME, GA., AND ALABAMA POINTS

APPLICATION FOR RELIEF

OCTOBER 24, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for The Alabama Great Southern Railroad Company and other carriers.

Commodities involved: Scrap iron and steel, carloads.

Between: Rome, Ga., on the one hand, and Alabama City, Attalla, and Gadsden, Ala., on the other.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-12901; Filed, Oct. 26, 1951; 8:51 a. m.]

[4th Sec. Application 26498]

CRUDE PUMICE FROM ANTONITO AND MESITA, COLO., TO WESTERN TRUNK LINE TERRITORY

APPLICATION FOR RELIEF

OCTOBER 24, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. E. Kipp, Agent, for carriers parties to his tariff I. C. C. No. A-3560.

Commodities involved: Pumice, crude, in bulk in open top cars, viz: broken, crushed, or ground. Pumice aggregate, carloads.

From: Antonito and Mesita, Colo.

To: Points in Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, South Dakota, and Wisconsin.

Grounds for relief: Circuitous routes, to maintain grouping, and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: L. E. Kipp's tariff I. C. C. No. A-3560, Supp. 177.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-12902; Filed, Oct. 26, 1951; 8:51 a. m.]

[4th Sec. Application 26499]

GRAVEL FROM LA GRANGE, MO., TO ILLINOIS

APPLICATION FOR RELIEF

OCTOBER 24, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: W. S. Mercer, Alternate Agent, for the Chicago, Burlington & Quincy Railroad Company.

Commodities involved: Gravel, road surfacing, carloads.

From: La Grange, Mo.

To: Plymouth, Colmar, and Augusta, Ill.

Grounds for relief: Wayside pit competition.

Schedules filed containing proposed rates:

CB&Q R. R. tariff I. C. C. No. 20319, Supp. 5.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-12903; Filed, Oct. 26, 1951; 8:51 a. m.]

[4th Sec. Application 26500]

SAND, GRAVEL AND CRUSHED STONE FROM GEORGIA AND VINCENNES, IND., TO CISNE, ILL.

APPLICATION FOR RELIEF

OCTOBER 24, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: W. S. Mercer, Alternate Agent, for the Baltimore and Ohio Railroad Company.

Commodities involved: Sand, gravel and crushed stone, carloads.

From: Georgia and Vincennes, Ind.

To: Cisne, Ill.

Grounds for relief: Wayside pit competition.

Schedules filed containing proposed rates: B&O RR. tariff I. C. C. No. WL-10839, Supp. 108. B&O RR. tariff I. C. C. No. 23949, Supp. 6.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-12904; Filed, Oct. 26; 1951; 8:51 a. m.]

[4th Sec. Application 26501]

BEACH OR LAKE SAND FROM LUDINGTON AND MANISTEE, MICH., TO CLEVELAND, OHIO

APPLICATION FOR RELIEF

OCTOBER 24, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. C. Schuldt, Agent, for The Chesapeake and Ohio Railway Company and The New York Central Railroad Company.

Commodities involved: Lake or beach sand, in carloads.

From: Ludington and Manistee, Mich.

To: Cleveland, Ohio.

Grounds for relief: Competition with water carriers.

Schedules filed containing proposed rates: C & O Ry. tariff I. C. C. No. 13168, Supp. 21.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-12905; Filed, Oct. 26, 1951; 8:51 a. m.]

[4th Sec. Application 26502]

ALCOHOL FROM JOPLIN, MO. TO KENTUCKY, INDIANA, AND PENNSYLVANIA

APPLICATION FOR RELIEF

OCTOBER 24, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariff I. C. C. No. 3932.

Commodities involved: Alcohol (other than denatured), tax paid or in bond, carloads.

From: Joplin, Mo.

To: Frankfort, Ky., Lawrenceburg and Terre Haute, Ind., and Schenley, Pa.

Grounds for relief: Circuitous routes and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3932, Supp. 36.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they in-

tend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-12906; Filed, Oct. 26, 1951; 8:52 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2715]

WISCONSIN MICHIGAN POWER CO. AND WISCONSIN ELECTRIC POWER CO.

SUPPLEMENTAL ORDER CONCERNING ISSUANCE AND SALE OF PRINCIPAL AMOUNT OF FIRST MORTGAGE BODS

OCTOBER 23, 1951.

Wisconsin Michigan Power Company ("Wisconsin Michigan"), a public utility company, and its parent Wisconsin Electric Power Company, a registered holding company and a public utility company, having filed a joint application-declaration, and amendments thereto, with respect, inter alia, to the issuance and sale by Wisconsin Michigan, pursuant to the competitive bidding requirements of Rule U-50, of $3,500,000 principal amount of First Mortgage Bonds, __ Percent Series due 1981; and

The Commission by order dated October 16, 1951, having granted and permitted to become effective said joint application-declaration, as amended, except that the issuance and sale of said bonds were not to be consummated until the results of competitive bidding, pursuant to Rule U-50, were made a matter of record in this proceeding and a further order issued, for which purpose jurisdiction was expressly reserved; and

Jurisdiction also having been reserved in respect of all fees and expenses incurred or to be incurred in connection with the proposed transactions; and

A further amendment to the application-declaration having been filed in which it is stated that in accordance with the Commission's order dated October 16, 1951, said bonds were offered for sale pursuant to the competitive bidding requirements of Rule U-50 and the following bids were received:

Bidding group headed by—	Annual interest rate (percent)	Price to company (percent of principal)[1]	Annual cost to company (percent)
Halsey, Stuart & Co., Inc.	3⅝	101.66	3.5348
Merrill Lynch, Pierce, Fenner & Beane, and Salomon Bros. & Hutzler	3⅝	101.462	3.5454
Kidder, Peabody & Co., and White, Weld & Co.	3⅝	101.391	3.5493

[1] Exclusive of accrued interest from October 1, 1951.

Said amendment having further stated that Wisconsin Michigan has accepted the bid of Halsey, Stuart & Co., Inc. for the bonds as set forth above and that the bonds will be offered for sale to the public at a price of 102.310 percent of the principal amount, plus accrued interest, resulting in an underwriters' spread of 0.65 percent of the principal amount, aggregating $22,750; and

The Commission having examined said amendment and having considered the record herein and finding no reason for imposing any terms or conditions with respect to the price and spread of said bonds:

It is ordered, That the joint application-declaration, as further amended, be, and hereby is, granted and permitted to become effective forthwith, subject to the provisions of Rule U-24, and that the jurisdiction heretofore reserved over the issuance and sale of the bonds with respect to the results of competitive bidding be, and the same hereby is, released.

It is further ordered, That jurisdiction heretofore reserved over the payment of all fees and expenses be, and hereby is, continued.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-12921; Filed, Oct. 26, 1951; 8:55 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 18595]

REISUKE MASUDA

In re: Stock owned by Reisuke Masuda. F-39-4663-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Reisuke Masuda, whose last known address is Hiroshima, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. Four (4) shares of $10.00 par value common capital stock of Cities Service Company, 60 Wall Street, New York 5, New York, a corporation organized under the laws of the State of Delaware, evidenced by certificates numbered DL-8509 and VL-411498 for ten (10) shares each, and FL-67525 for twenty (20) shares of common, no par value stock of the aforesaid company, registered in the name of Reisuke Masuda, together with all declared and unpaid dividends thereon, and any and all rights to receive a new certificate for $10.00 par value stock of the aforesaid company,

b. That certain debt or other obligation owing by Cities Service Company, 60 Wall Street, New York 5, New York, to Reisuke Masuda in the amount of $70.19 arising out of the receipt by said company of the proceeds of sale of Toledo Edison Company rights on behalf of Reisuke Masuda, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same, and

c. One (1) scrip certificate for 40/200ths of a share of $10.00 par value common capital stock of Cities Service Company, 60 Wall Street, New York 5, New York, a corporation organized under the laws of the State of Delaware, issued in payment of a stock dividend to Reisuke Masuda and presently in the custody of said company, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 23, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON, *Assistant Attorney General, Director, Office of Alien Property.*

[F. R. Doc. 51-12916; Filed, Oct. 26, 1951; 8:53 a. m.]

[Vesting Order 18596]

HANS N. MUSFELD

In re: Debt owing to Hans N. Musfeld, also known as H. N. Musfeld. F-39-2246.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Hans N. Musfeld, also known as H. N. Musfeld, whose last known address is Jozaki-cho, Yokoya Uchida Street, Muko-gun, Hyoga-ren, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obliga-

tion of the American Trust Company, 464 California Street, San Francisco 20, California, arising out of a commercial account entitled Hans N. Musfeld maintained with the aforesaid bank, together with any and all accruals to the aforesaid debt or other obligation, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 23, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-12917; Filed, Oct. 26, 1951; 8:53 a. m.]

[Vesting Order 18597]

ERNST AND META SCHLUND

In re: Securities owned by Ernst Schlund and Meta Schlund. F-28-26306-A-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ernst Schlund and Meta Schlund, whose last known address is Huptmarket, 21 Zwickau Sachsen, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain certificate of deposit for 6 percent first mortgage bonds, numbered 20, 21 and 22, of property located at 6243/45 S. Ashland Avenue, Chicago, Illinois, said certificate of deposit being presently in the custody of J. Walter Bell, 128 West 11th Street, New York 11, New York, registered in the names of Ernst Schlund and Meta Schlund, together with any and all rights thereunder and thereto, and

b. That certain certificate of deposit numbered 836, for bonds numbered D25 and D26 of the Powers Apartments building, Chicago, Illinois, said certificate being presently in the custody of J. Walter Bell, 128 West 11th Street, New York 11, New York, registered in the names of Ernst Schlund and Meta Schlund, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Ernst Schlund and Meta Schlund, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 23, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-12918; Filed, Oct. 26, 1951; 8:53 a. m.]

[Vesting Order 18598]

BANQUE INTERNATIONALE A LUXEMBOURG S. A.

In re: Certificates of indebtedness maintained in an account in the name of Banque Internationale a Luxembourg S. A. or Banque Internationale Luxembourg, Luxembourg and owned by persons whose names are unknown. F-44-4.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the persons who are owners of the property described in subparagraph 2 hereof, and who, if individuals, there is reasonable cause to believe are residents of Germany, and if partnerships, corporations, associations or other organizations there is reasonable cause to believe are organized under the laws of, or have or, on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in Germany, are nationals of a designated enemy country (Germany);

2. That the property described as follows: Seven (7) U. S. A. Treasury 1 and 7/8 percent Certificates of Indebtedness, Series E, 1952, dated October 15, 1951, issued in bearer form, numbered and in the face amounts listed below:

No.:	*Face amount*
14570	$1,000
14571	1,000
9435	5,000
38320	10,000

presently in the custody of The Chase National Bank, New York, New York, in an account entitled "Banque Internationale a Luxembourg, Luxembourg", numbered F. S. 86063, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to or which is evidence of ownership or control by, the persons referred to in subparagraph 1 hereof, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons referred to in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 23, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-12919; Filed, Oct. 26, 1951; 8:54 a. m.]